A. Lincoln.

ABRAHAM LINCOLN

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PRESIDENT LINCOLN AND GENERAL McCLELLAN AT ANTIETAM.

ABRAHAM LINCOLN

The Full and Authorized Record of His Private Life and Public Career

By His Two Private Secretaries

JOHN G. NICOLAY *and* JOHN HAY

With the assistance of

ROBERT TODD LINCOLN and the

Private Papers and Manuscripts

in His Possession

Rare Photographs, Maps, Private and Official Papers in Facsimile

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From a photograph by Gardner. *Frontispiece*

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ABRAHAM LINCOLN

CHAPTER I

POPE'S VIRGINIA CAMPAIGN

IN order to understand the unfortunate consequence of the long delay of McClellan in moving his army from the James to the Potomac, a few words of retrospect are here necessary. On June 26, 1862, General John Pope was appointed to the command of the Army of Virginia, consisting of the corps of Frémont, Banks, and McDowell. Frémont, having refused to serve under his junior, was relieved of his command, and his place taken by General Franz Sigel. McDowell and Banks, who might with much more reason have objected to the arrangement, accepted it with soldierly and patriotic promptness. General Pope, though still a young man, was a veteran soldier. He was a graduate of the class of 1842 at West Point, had served with distinction in the Mexican war, and had had a great success in the capture of Island No. 10, in the Mississippi River, in the spring of 1862. He had made a very favorable impression, not only upon the President but upon most mem-

CHAP. I. bers of the Cabinet. He remained in Washington for several weeks after having been assigned to his new command, awaiting the arrival of General Halleck, the new general-in-chief, and only left 1862. there on the 29th of July to put himself at the head of his troops.

In the latter part of June the President, being deeply anxious in regard to the military situation, and desiring to obtain the best advice in his power, had made as privately as possible a visit to General Scott in his retirement, to ask his counsel. The only record of this visit is a memorandum from Scott approving the President's own plan of sending McDowell's command to reënforce McClellan before Richmond, a plan the execution of which was prevented by Lee's attack. It is probable that at this same interview the appointment of Halleck as general-in-chief was again suggested by General Scott. Secretary Chase says in his diary that so far as he knew no member of the Cabinet was consulted in regard to it.[1] The appointment when made was received with general approval. Halleck was not McClellan, which was sufficient for the more vehement opponents of that general; and he was not a Republican, which pleased the other party. In fact, he shocked the Secretary of the Treasury by saying at the first Cabinet meeting he attended, "I confess I do not think much of the negro." If Halleck never fulfilled the high expectations at first entertained of him, he at least discharged the duties of his great office with intelligence and fidelity. His integrity and his

Warden, "Life of S. P. Chase," p. 448.

[1] Secretary Welles, in "Lincoln and Seward," page 192, says Scott, Stanton, and Pope favored Halleck's appointment.

ability were alike undoubted. His deficiencies were rather those of temperament. In great crises he lacked determination and self-confidence, and was always more ready to avoid than to assume embarrassing responsibility.

After General Halleck's return from the James the question of McClellan's removal from command of the Army of the Potomac was much discussed in Administration circles. The President himself was averse to it. Secretary Chase was the most prominent member of the Government in its favor. He urged it strongly upon General Halleck, thinking it necessary to the revival of the credit of the country. Halleck agreed with him in condemning McClellan's military operations, but thought that "under his orders" McClellan "would do very well." Pope, in conversation with Chase, said he had warned the President that he could not safely command the Army of Virginia if its success was to depend on the coöperation of McClellan, for he felt assured that his coöperation would fail at some time when it would be most important. But the resolution was taken, upon Halleck's report, to withdraw McClellan with his army. On the 30th, as we have seen, McClellan was ordered to send away his sick. On the 3d of August he was directed to move his army to Aquia Creek. Reiterated orders, entreaties, arguments, and reproaches were all powerless to hasten his movements or to bring him to the Potomac in less than three weeks. His first troops, Reynolds's division, joined the Army of Virginia on the 23d of August.

Schuckers "Life of S. P. Chase," p. 448.

1862.

In the mean time Pope had begun his campaign with an error of taste more serious than any error

CHAP. I. of conduct he ever committed. He had issued an address "To the officers and soldiers of the Army of Virginia," containing a few expressions which had made almost all the officers of the Army of the Potomac his enemies. He said: "I have come to you from the West, where we have always seen the backs of our enemies; from an army whose business it has been to seek the adversary and to beat him when he was found; whose policy has been attack, and not defense. . . I presume that I have been called here to pursue the same system and to lead you against the enemy. It is my purpose to do so, and that speedily. . . I desire you to dismiss from your minds certain phrases which I am sorry to find so much in vogue amongst you. I hear constantly of 'taking strong positions, and holding them'; of 'lines of retreat,' and of 'bases of supplies.' Let us discard such ideas. The strongest position a soldier should desire to occupy is one from which he can most easily advance against the enemy. Let us study the probable lines of retreat of our opponents, and leave our own to take care of themselves. Let us look before us, and not behind. Success and glory are in the advance, disaster and shame lurk in the rear."

W. R. Vol. XII., Part III., pp. 473, 474.

This address, which had no other purpose than to encourage and inspirit his men, was received, to Pope's amazement, with a storm of angry ridicule, which lasted as long as he remained in command of the Army of Virginia, and very seriously weakened his hold upon the confidence of his troops and the respect of the public. As a matter of course it rendered impossible any sincere sympathy and support from General McClellan and those nearest to

him. It may even be doubted whether there had been from the beginning any probability of a good understanding between them. From the moment Pope arrived from the West he was regarded with jealousy by the friends of McClellan as a certain rival and possible successor. CHAP. I.

In the last days of June, when McClellan made his first intimation of a change of base, Pope had suggested, and the President had conveyed his suggestion to McClellan, that it would be better for the latter, if forced to leave the line of the Chickahominy, to fall back on the Pamunkey. The source from which the suggestion came was sufficient to insure its rejection if there had been no other reason. Pope had taken great pains to establish friendly relations with McClellan, writing him as soon as he assumed command a long and cordial letter, giving him a full account of his situation and intentions, and inviting his confidence and sympathy in return. McClellan answered a few days later in a briefer letter, in which he clearly foreshadowed an intention to resist the withdrawal of his army from its present position. Handicapped by this lack of cordial sympathy with him in the Army of the Potomac, Pope left Washington on the 29th of July to begin his work, the first object of which was to make a demonstration in the direction of Gordonsville to assist in the withdrawal of McClellan's army from the James. In pursuance of this intention Generals Banks and Sigel were ordered to move to Culpeper Court House. Banks promptly obeyed his orders, arriving there shortly before midnight on the 8th of August. Sigel, from some mistake as to the road, 1862.

W. R. Vol. XI., Part III., pp. 295–297.

Ibid., p. 306.

CHAP. I. did not get there until the evening of the next day. By that time Banks had gone forward to Cedar Mountain, and at that point, with a force of less than 8000 men of all arms, he attacked the army corps of Stonewall Jackson, consisting of Ewell's, A. P. Hill's, and Jackson's divisions, with such vigor and impetuosity that he came near defeating them. Though finally repulsed, he inflicted such a blow upon Jackson as to give him an exaggerated idea of his numbers; and hearing two days afterwards that Banks had been reënforced, Jackson thought best to retire to the Rapidan.

W. R. Vol. XII., Part II., pp. 183-185.

By this time General Lee, having become convinced that McClellan was about to leave the Peninsula, concluded to concentrate a large force upon Pope's advance, to attack and if possible to destroy it. On the 13th of August General Longstreet was ordered to the Rapidan with the divisions of Longstreet and Jackson and Stuart's cavalry corps. General Lee disposed of an army of about 54,000 men. Pope, finding himself so greatly outnumbered, retreated behind the Rappahannock, where he established himself without loss on the 20th of August.

1862.

Thus far Pope had made no mistake. He had succeeded in checking the advance of Jackson, in withdrawing such a force of the enemy from Richmond as to leave McClellan's retreat unmolested, and had established his army in good condition on the north bank of the Rappahannock. Under orders from General Halleck he held the line of this river for eight days, repulsing several attempts of the enemy to cross, in hope, as the General-in-Chief said, "that during this time sufficient forces from

CHAP. I.

the Army of the Potomac would reach Aquia Creek to enable us to prevent any further advance of Lee, and eventually, with the combined armies, to drive him back upon Richmond." Baffled in his repeated attempts to cross the Rappahannock in front of Pope's position, General Lee resolved upon a flank movement to the left, and intrusted it to Stonewall Jackson. The latter executed the task with amazing audacity and swiftness, marching round the right and rear of the Union army through the villages of Amissville, Orlean, and Salem, pouring his forces through Thoroughfare Gap in the Bull Run Mountains and striking Pope's line of communication and a valuable depot of supplies at Manassas Junction. Jackson retired from this place and took up his position in the morning of the 28th of August just north of the Warrenton turnpike, near the old battlefield of Bull Run. Longstreet's corps was so far behind Jackson that a rapid change of front and concentration of all the troops at Pope's and Halleck's disposal ought to have destroyed Jackson, isolated as he was from the rest of Lee's army. But his position was not ascertained as soon as it should have been. Owing to causes which have led to infinite controversy, the Union forces were not brought together with the directness and celerity required, and therefore it came about that in the morning of August 29 Pope's main army confronted Jackson on the Warrenton pike at Groveton; Porter was some three miles on the left near the Manassas Gap Railroad, and Longstreet was on the march from Thoroughfare Gap to effect his junction with Jackson's right. There was still an opportunity to win a great victory.

Halleck, Report, Nov. 25, 1862. W. R. Vol. XII., Part II., p. 6.

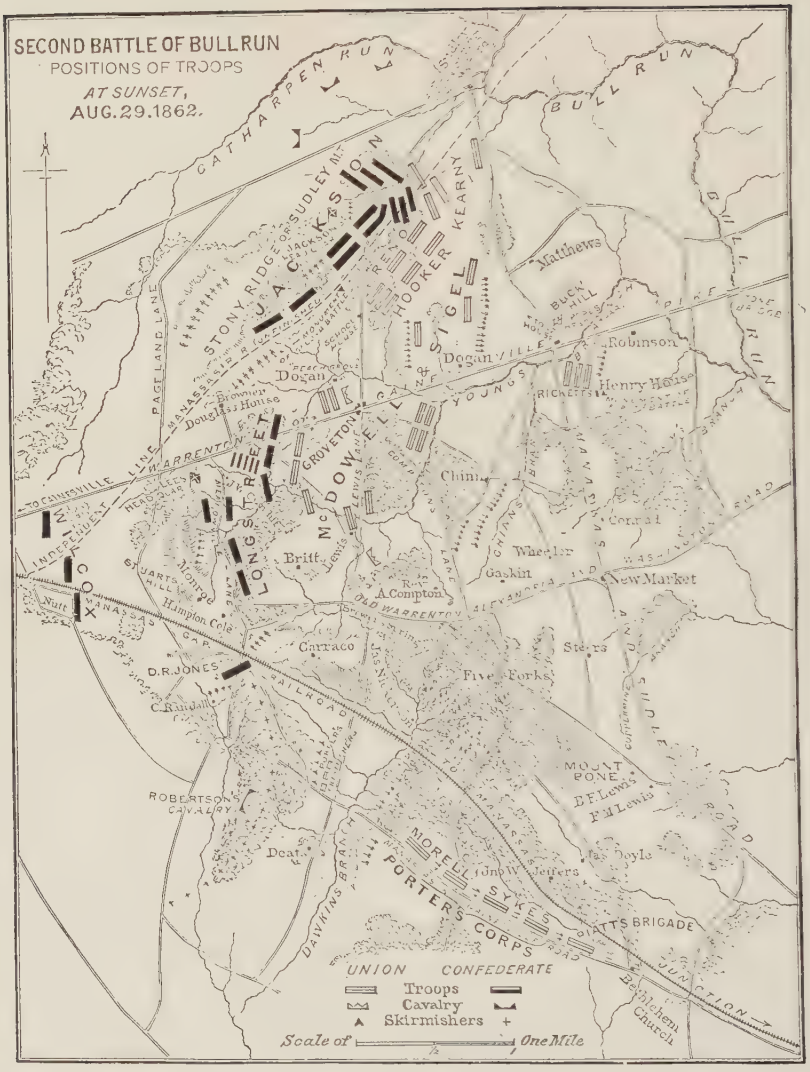
1862.

CHAP. I. 1862.

General Fitz-John Porter, when at Warrenton Junction on the evening of the 27th of August, had received an order from General Pope to march at 1 A. M. to Bristoe Station; but, in the exercise of his own discretion, he did not march until dawn. This delay, however, had as yet no specially disastrous results, and would probably never have been brought into such prominence as it afterwards assumed had it not been for the light which it was supposed to cast upon subsequent events. Porter was, however, in his place on the morning of the 29th, with his splendid corps in fighting trim, some distance from General Pope's left and a little in rear of his line of battle. He had been ordered to Centreville the night before, but his orders had been changed, early in the morning, to proceed to Gainesville instead. No time had been lost by this change, as his new order found him, on his march, at Manassas Junction, whence he pushed out his column on the Gainesville road, his advance reaching a little stream called Dawkins Branch, where it halted.

About nine o'clock General Pope issued to McDowell and Porter a joint order directing them to move their commands towards Gainesville, and to establish communication between themselves and the main body on the Warrenton Turnpike. General McDowell relates in his testimony before the general court martial of Fitz-John Porter that he met General Porter near the little stream just mentioned, about three miles from Manassas Junction and five miles from Gainesville. They had some conversation in regard to the joint order, and McDowell communicated to Porter a dispatch he had

W. R. Vol. XII., Part II., p. 76.


SECOND BATTLE OF BULL RUN
POSITIONS OF TROOPS
AT SUNSET,
AUG. 29. 1862.
CATHARPEN RUN
BULL RUN
JACKSON
STONY RIDGE OR SUDLEY'S
HOOKER KEARNY
STIGEL
Matthews
Robinson
Henry House
Dogan
Chinn
Corrai
Wheeler
Gaskin
New Market
Britt
Lewis
A. Compton
Carraco
Stears
Five Forks
D. R. JONES
C. Randall
ROBERTSON'S CAVALRY
Deat
MOUNT PONE
D.E. Lewis
P.M. Lewis
Jas. Boyle
Jeffers
MORELL
SYKES
PORTER'S CORPS
GRIFFIN'S BRIGADE
DAWKINS BRANCH
LONGSTREET
McDOWELL
GROVETON
WARRENTON
SUDLEY MILL
PAGELAND LANE
STUART HILL
Hampton Cole
Nutt
GAP
RAILROAD
UNION
CONFEDERATE
Troops
Cavalry
Skirmishers
Scale of
One Mile
Bethlehem Church
JUNCTION

SECOND BATTLE OF BULL RUN
POSITIONS OF TROOPS
AUG. 30, 1862.
BULL RUN
CATHARPEN RUN
STONY RIDGE
SUDLEY MT.
JACKSON
EWELL
STARKE
LAWTON
EARLY
A. P. HILL
HOOKER
KEARNY
PICKETTS
STEVENS
RENO
REYNOLDS
Matthews
POE
KEARNY IN RETREAT 6 P.M.
PICKETTS & STEVENS 6 P.M.
ROBINSON
BIRNEY
STONE BRIDGE
PIKE
CENTRE
Robinson
PORTER
SYKES
Henry
REYNOLDS
RENO
HOLKUM BRANCH
WARRENTON TURNPIKE
R. H. ANDERSON
WARRENTON BRANCH
MANASSAS GAP R.R.
WILCOX
HOOD
GROVETON
KEMPER
EVANS
CHAMBLISS
DR. JONES
Conrad
WILCOX
Wheeler
Gibbon
R. H. ANDERSON
ALEXANDRIA
WARRENTON ROAD
STUARTS
Britt
Compton
Carrano
Five Forks
Fox
Market
MANASSAS & SUDLEY ROAD
MOUNT PONE
B. F. Lewis
J. W. Jeffries
Thomas Church
UNION
CONFEDERATE
Troops in First Position
Last Position
Scale of One Mile

just received from General John Buford, to the effect that a considerable body of Confederate troops was approaching from the direction of Gainesville. Concluding from this and other circumstances that there was immediate need of the presence of one of them on the left flank of the main body of the Union army then engaged with the enemy at Groveton, McDowell resolved to take his troops in that direction. On leaving General Porter he said to him, "You put your force in here, and I will take mine up the Sudley Springs road on the left of the troops engaged at that point." McDowell reached Pope about 5 P. M. and reported to him with King's division, commanded by Hatch, as King was suffering from a severe illness.

W. R. Vol. XII., Part II., Supplement, p. 903.

Ibid., p. 904.

The fitful and broken battle which had raged all day between Pope's and Jackson's armies was ebbing to its close, neither side having gained any decided advantage. McDowell's men were put in for the last sharp hour of fighting on Pope's left, opposite the point where Longstreet, who had come on the field without the knowledge of the Union commanders, was now posted; they lost heavily, but fought with the greatest gallantry. They finally retired in good order, leaving one gun in the hands of the enemy, which had "continued to fire," says the Confederate Colonel Law, "until my men were so near it as to have their faces burnt by its discharges." At 4:30 Pope, who had waited all day for Porter's flanking attack upon the Confederate right and rear, sent Porter a peremptory order directing him to push forward into action, keeping his right in communication with Pope's left.

W. R. Vol. XII., Part II., p. 623.

Ibid., p. 509.

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W. R. Vol. XII., Part II., Supplement, p. 878.

There is much discussion whether this order was delivered at five or six o'clock. Captain Douglass Pope, who bore it, says it was delivered at the earlier hour; General Porter claims that it was an hour later; but, at all events, Porter, who had found indications of a strong force in his front, waited in position till it grew dark and then retired. That night General Pope in deep exasperation sent an order to Porter, couched in harsh and peremptory terms, directing him to report in person with his command on the field for orders. Early next morning, August 30, Porter reported with all of his command but one brigade; and on this day one of the most sanguinary conflicts of the war, the second battle of Bull Run, was fought. It was a battle which General Pope was under no necessity of fighting. He might easily have retired behind Bull Run and waited until Franklin's corps, which had been moving from Alexandria with inexplicable slowness, had joined him and replenished his supplies. But the false reports of a retreat by the enemy, the admirable fighting qualities of his troops displayed on the 29th before his eyes, and the fact that on the 30th he had Porter's magnificent corps under his immediate orders, and more than all perhaps the temperament of the man, who was always ready to fight when there was a fair chance for him, determined him to stay where he was and to risk a new battle on that historic field. He made a mistake in supposing that the principal force against him was north of the Warrenton turnpike. He placed, therefore, the bulk of his own army on that side and attacked with great energy early in the afternoon. Porter's corps fought with its old-

W. R. Vol. XII., Part II., p. 509.

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time bravery; but his troops having come within the range of the enfilading fire of Longstreet's guns, the attack failed on the left. Later, Longstreet advanced on the Confederate right. A furious struggle took place for the possession of Bald Hill, west of the Sudley Springs road; and later Sykes's regulars, successfully defending into the night the Henry House hill from the assault of the Confederates, covered the retreat of the Union army across the Stone bridge to Centreville. On both sides it was one of the hardest fought battles of the war. CHAP. I.

The day after the battle General Lee made no attempt to pursue or molest Pope's army; but on the evening of the 1st of September he essayed his usual flanking experiment with Jackson's corps upon the Union right wing at Chantilly. Pope had foreseen this and prepared for it, and a very severe action took place, beginning at sunset and terminating in the darkness, in the midst of a furious thunder-storm. Jackson had gone too fast and too far. He was readily repulsed, but the Union army met with a heavy loss in the death of Generals Philip Kearny and Isaac I. Stevens. There were few men in the service more able, industrious, modest, and faithful than Stevens; and Kearny was an ideal soldier — brave, cool, patient, and loyal. 1862.

On the morning of the 1st, Pope, who seemed far more dispirited and discouraged by the evident hostility towards him existing among the officers of the Army of the Potomac than by any of his losses in battle, had telegraphed to General Halleck his opinion that the army should be withdrawn to the intrenchments in front of Washington, and in that

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secure place reorganized and rearranged. "When there is no heart in their leaders," he says, "and every disposition to hang back, much cannot be expected from the men." These orders were given the same day, and the army was brought back without molestation.

W. R. Vol. XII., Part II., p. 83.

Ibid., Part III., p. 787.

General Pope attributed the failure of this campaign to General Porter's inaction and his disobedience of orders upon the 27th and 29th. The general court martial, composed of officers of high rank and character, by which the charges were considered, found General Porter guilty and sentenced him to be cashiered. He, assured of his own integrity, persistently protested against the injustice of this sentence, and sought in every possible way to have it reversed.

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General Grant refused, while he remained President, to reopen the case,[1] though in his later years

[1] While General Grant was President General Porter made every effort to have his case re-opened, and it has been charged that General Pope used his influence to prevent it. The record shows that General Pope wrote to the President April 18, 1874, asking him to examine as fully into the question as he thought justice or mercy demanded; or to order a board of competent officers of high rank, unconnected with the armies or transactions involved, to investigate fully the statements of the new evidence made by General Porter, etc., etc. General Grant answered on the 9th of May, saying in effect that Pope had not tried to prevent a rehearing, and adding: "I read during the trial the evidence and the final findings of the Court, looking upon the whole trial as one of great importance, and particularly so to the army and navy. When General Porter's subsequent defense was published I received a copy of it, and read it with care and attention, determined, if he had been wronged, and I could right him, I would do so. My conclusion was that no new facts were developed that could be fairly considered, and that it was of doubtful legality whether, by the mere authority of the Executive, a rehearing could be given."

From official copies.

General Porter claims, on the evidence of the Hon. W. A. Newell, of New Jersey, that President Lincoln changed his mind in regard to this case, and reproaches the authors of this work for not following his alleged ex-

he changed his mind and wrote a paper in favor of General Porter. An advisory board consisting of Generals Schofield, Terry, and Getty, appointed by President Hayes to reëxamine the case, acquitted General Porter of all blame except for indiscreet and unkind criticism of his superior officer. A bill was passed by Congress restoring him to the army, but it was vetoed by President Arthur, who, however, removed Porter's continuing disabilities by an executive order. The question became involved in political considerations and feelings, and when a quarter of a century later the Democratic party had gained control of the House of Representatives and the Presidency, General Porter was restored to his former place in the regular army and honorably retired. The act for his relief was passed by a vote of 171 to 113 in the House of Representatives and of 30 to 17 in the Senate, all the Democrats in each case voting solidly in his favor and a large majority of the Republicans against him.

With all the testimony adduced it is probable that Porter would not have been convicted had it not been for his own letters written during the progress of the campaign.[1] It was these letters

ample. It is not our custom to quote Mr. Lincoln's expressions from memory; we will therefore only say that our recollection does not agree with Mr. Newell's. And the President's son, Robert T. Lincoln, gave evidence, before the same board, which agreed with our own positive impression as to Mr. Lincoln's views of General Porter's sentence.

[1] In a letter of August 27, to Burnside from Warrenton Junction, he says: "I find a vast difference between these troops and ours. . . I hear that they are much demoralized, and needed some good troops to give them heart and, I think, head. We are working now to get behind Bull Run, and I presume will be there in a few days if strategy don't use us up. The strategy is magnificent, and tactics in the inverse proportion. . . . I do not doubt the enemy have large amounts of supplies provided for them, and I believe

CHAP. I. which furnished the theory of the prosecution of Porter: that he felt the good of the army and of the country required that Pope should be deposed from the command for which he believed him unfit, and that McClellan should have his old army back again.

Amid all the confusion of counsels and the inefficiency of those in high places, it is cheering to observe the coolness and energy with which some of the subordinate officers did their work. Among these Colonel Herman Haupt, chief of Railway Construction and Transportation, deserves a word of notice. Much of the information the Government received during these troubled days came from him. In default of intelligent orders, he himself set on foot reconnaissances and measures of re-

1862. lief. On one occasion, August 27, having proposed an expedition to convey forage and subsistence to Pope's army, he was directed to see McClellan, if possible, and consult with him; otherwise to go ahead as proposed. He gives this account of the interview which took place between him and the general at Alexandria, after he had found him on a transport near that place. Haupt told him all the news he had gathered, and asked for permission and a small escort to send a train with supplies to Pope, who was desperately in want of everything. General McClellan listened, and when Haupt ceased,

W. R. Vol. XII., Part III., pp. 700, 733.

they have a contempt for this Army of Virginia. I wish myself away from it with all our old Army of the Potomac, and so do our companions. . . If you can get me away, please do so." On the morning of the 29th he wrote: "I hope Mac is at work and we will soon get ordered out of this. It would seem, from proper statements of the enemy, that he was wandering around loose; but I expect they know what they are doing, which is more than any one here or anywhere knows."

remarked that he could not approve of the plan; that it would be attended with risk. Haupt thought the risk would not be excessive, but his arguments availed nothing. The general refused his consent to the plan proposed, and made no suggestion of any other. He was faint and ill, and asked Haupt for some refreshment, which revived him, and he then sent a dispatch to Washington, transmitting the information Haupt had given him, but making no suggestion for Pope's assistance.

He then rode away, leaving Haupt in the deepest perplexity. He knew what ought to be done, but lacked authority. "Had I been so fortunate," he says, "as not to have found General McClellan, I could have acted, but my hands were tied. The army was suffering and in danger; I could not remain quiet. I determined to assume the responsibility, but as I considered it proper to notify General McClellan, I sent him at 9:50 P. M. a notice that at 4 A. M. I proposed to start a wrecking and construction train bound for Bull Run, also a train with forage and subsistence. I asked for two hundred sharpshooters only as a train guard, to report at 4 A. M., and stated that if the troops did not report we would go without them. No answer was received to this dispatch, and near midnight I took a lantern and visited the camps, four miles down the road, to see if I could not get a guard. I found General Hancock in bed in his tent. He rose immediately, and cheerfully agreed to give me the force I required."[1]

MS. Memoir, "The Military Railroads of the United States."

[1] This Herman Haupt was one of the modest great men of the war. Lincoln used to say he had brains enough for a corps commander, if he could be spared from his railroad work. Some of

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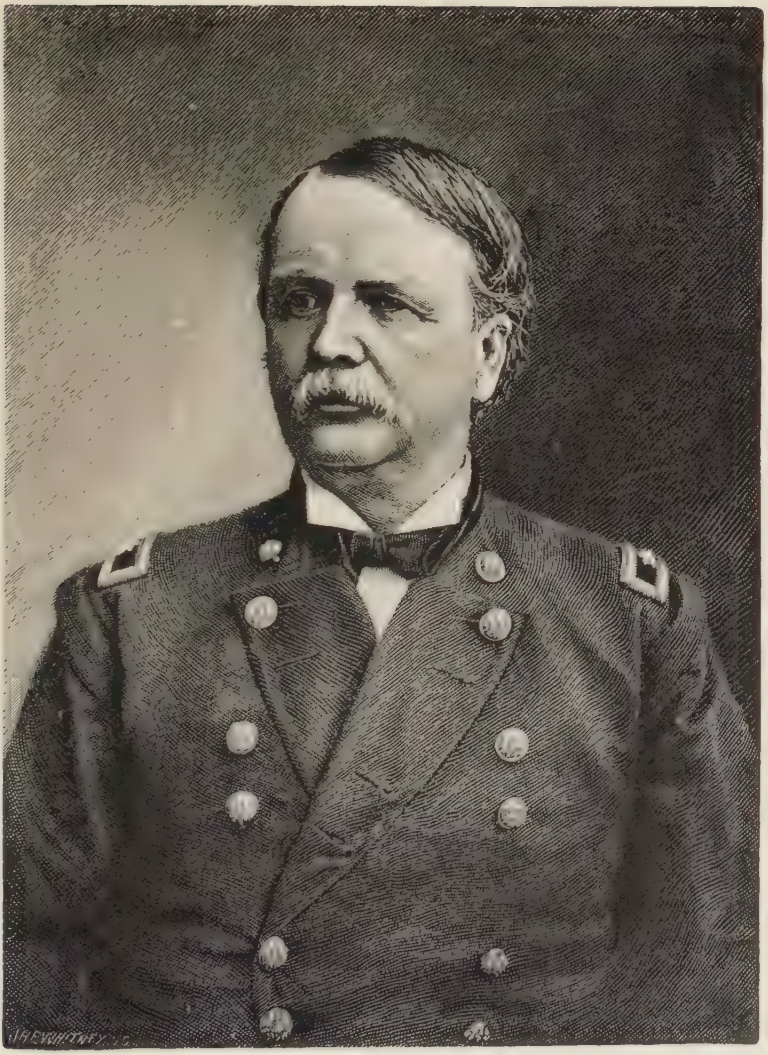
General Pope regarded the reluctance of McClellan in forwarding reënforcements to him from Alexandria as another important factor in his failure. He says in his report that Reynolds's division, "about 2500 strong," which joined him on the 23d of August at Rappahannock station, and the corps of Heintzelman and Porter, about 18,000 between them, which arrived on the 26th and 27th at Warrenton Junction (about 20,500 altogether), were "all of the 91,000 veteran troops from Harrison's Landing which ever drew trigger under my command." Franklin and Sumner with 20,000 effectives reported to him at Centreville too late to redeem the campaign. It is a fact not without significance that the last troops which joined him before the hard fighting began did so before McClellan took charge at Alexandria. General Sumner, that brave old warrior who considered it a personal injury to be kept from any battlefield within his reach, broke out in hot anger when he learned that McClellan had said his corps was not in a condition for fighting. "If I had been ordered to advance right on," he said afterwards, "from Alexandria by the Little River turnpike, I should have been in that Second Bull Run battle with my whole force." He was made to waste forty-eight hours in camp and in a fruitless march to the Aqueduct bridge.

W. R. Vol. XII., Part II., p. 46.

Sumner, Testimony, Report of the Committee on the Conduct of the War.

the bridges he built, to use McDowell's words, ignored all the rules and precedents of military science. The Potomac Run bridge, for instance, was a four-story structure of round sticks cut from the neighboring woods; it was over eighty feet high and four hundred feet long; it was built by common soldiers in nine days, and carried the heaviest railway trains in safety. This bridge excited the highest admiration of the President; he said, "Haupt could build a bridge of bean-poles and cornstalks."



Jno Pope

In the matter of Franklin's corps the correspondence of General McClellan himself furnishes the most undeniable evidence that he did not think best to hurry matters in reënforcing Pope. Halleck on the 27th had telegraphed him the probability of a general battle. "Franklin's corps," he said, "should move out by forced marches, carrying three or four days' provisions." This order was repeated later in the day in more urgent terms, that "Franklin's corps should move in that direction [Manassas] as soon as possible." McClellan answered, not that Franklin had started, but that he had sent orders to him to "prepare to march." He afterwards discovered that Franklin was in Washington, and gave orders to place the corps in "readiness to move." In the afternoon he sent dispatches indicating his belief that it might be better for Franklin not to go, and questioning whether Washington were safe; and in the evening of the same day this conviction had gained such strength in his mind that he squarely recommended that the troops in hand be held for the defense of the capital. On the morning of the 28th Halleck telegraphed, direct, an order to Franklin to move towards Manassas, but at one o'clock in the afternoon General McClellan replied, "The moment Franklin can be started with a reasonable amount of artillery he shall go." At 4:10 o'clock he added: "General Franklin is with me here. I will know in a few minutes the condition of artillery and cavalry. We are not yet in condition to move; may be by to-morrow morning." Halleck, in despair at this inertia, had telegraphed at 3:30 o'clock: "Not a moment must be lost in pushing

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W. R. Vol. XI., Part I., p. 94.

Ibid., p. 95.

Ibid., p. 96.

Ibid., p. 97.

W. R. Vol. XII., Part III., p. 707.

Ibid., p. 708.

W. R. Vol. XI., Part I., p. 97.

Chap. I. as large a force as possible towards Manassas so as to communicate with Pope before the enemy is reënforced." To this, after the lapse of an hour, McClellan answered: "Your dispatch received. Neither Franklin nor Sumner's corps is now in condition to move and fight a battle. It would be a sacrifice to send them out now. . . "

W. R. Vol. XII., Part III., p. 709.

Ibid.

At night General Halleck, with vehement earnestness, ordered: "There must be no further delay in moving Franklin's corps towards Manassas. They must go to-morrow morning, ready or not ready. If we delay too long to get ready, there will be no necessity to go at all; for Pope will either be defeated or be victorious without our aid. If there is a want of wagons, the men must carry provisions with them until the wagons can come to their relief."

Ibid., p. 710.

At last McClellan answered that he had ordered Franklin to march at six in the morning of the 29th. He then enumerated the force he had in hand, amounting to about thirty thousand men, and added, with a naïveté which in view of Halleck's urgent telegrams for two days would be comical if the consequences had not been so serious, "If you wish any of them to move towards Manassas, please inform me."

Aug., 1862.

Ibid.

On the 29th of August he got Franklin started, but still protested against the order to move him, and continually through the day sent dispatches suggesting that Franklin should go no farther, until at last Halleck, even his excessive patience giving way, replied at three o'clock, "I want Franklin's corps to go far enough to find out something about the enemy. . . I am tired of guesses." At

W. R. Vol. XI., Part I., pp. 97, 98.

W. R. Vol. XII., Part III., p. 722.

a quarter before three in the afternoon of the 29th General McClellan sent the following extraordinary dispatch to Mr. Lincoln, which, to do him justice, must be given entire: CHAP. I. Aug., 1862.

> The last news I received from the direction of Manassas was from stragglers, to the effect that the enemy were evacuating Centreville and retiring towards Thoroughfare Gap. This by no means reliable. I am clear that one of two courses should be adopted: first, to concentrate all our available forces to open communications with Pope; second, to leave Pope to get out of his scrape, and at once use all our means to make the capital perfectly safe.
>
> No middle ground will now answer. Tell me what you wish me to do, and I will do all in my power to accomplish it. I wish to know what my orders and authority are. I ask for nothing, but will obey whatever orders you give. I only ask a prompt decision, that I may at once give the necessary orders. It will not do to delay longer. W. R. Vol. XI., Part I., p. 98.

There can be no mistaking the transparent menace of this dispatch. Of the alternatives he suggested, he meant but one. By his protests of the last three days, as well as by his actions, he had clearly shown his disinclination to attempt to open communication with Pope. There is but one course, therefore, left which commends itself to his judgment; that is, to leave the Army of Virginia to its fate. This dispatch was sent directly to the President in answer to a request from him for news, and the President replied, with more of magnanimity than of dignity: "I think your first alternative, to wit, 'to concentrate all our available forces to open communication with Pope,' is the right one, but I wish not to control. That I now leave to General Halleck, aided by your counsels." Ibid.

CHAP. I. Aug., 1862.

During the two entire days, the 29th and 30th, while Pope was engaged in his desperate struggle at Bull Run with the whole of Lee's army, the singular interchange of telegrams between Halleck and McClellan continued — the one giving orders growing more and more peremptory every hour, and the other giving excuses more or less unsatisfactory for not obeying them. But late at night of the 31st of August, when the fighting was virtually over, General Halleck, upon whom the fatigue and excitement of the past week had had a most depressing effect, suddenly betrayed that weakness of character which so often surprised his friends, and sent to McClellan a dispatch breathing discouragement in every word, in which, saying that he was "utterly tired out," he begged McClellan "to assist him in this crisis with his ability and experience." To this General McClellan replied with unusual promptness a few minutes after receiving it, asking for an interview to settle his position. In a letter an hour later he gave his decided opinion that Pope had been totally defeated, and that everything available should be drawn in at once; he thinks such orders should be sent immediately; he has no confidence in Pope's dispositions; "to speak frankly," he says,— "and the occasion requires it,— there appears to be a total absence of brains, and I fear the total destruction of the army." He falls back again into his sententious strain: "The occasion is grave, and demands grave measures. The question is the salvation of the country. . . It is my deliberate opinion that the interests of the nation demand that Pope shall fall back to-night if possible, and not one moment is to be lost."

W. R. Vol. XI., Part I., p. 103.

W. R. Vol. XII., Part III., p. 773.

Ibid.

W. R. Vol. XI., Part I., p. 103.

The same advice was repeated by Pope the next morning, and Halleck at once gave the necessary orders. On September 1, General McClellan visited Washington and conversed with Halleck and the President. Mr. Lincoln had been greatly distressed and shocked by the account Pope had given of the demoralization of the Army of the Potomac, which, in his opinion, proceeded from the spirit of hostility and insubordination displayed openly by some of its most prominent officers. He requested McClellan to use his great personal influence with his immediate friends in that army to correct this evil. McClellan, while not crediting the report of Pope, nevertheless complied with the request of the President, and sent a letter to Porter urging him and all his friends, for his sake, to extend to General Pope the same support they had always given him, to which Porter replied in loyal and soldierly terms. On the next day (September 2), Mr. Lincoln placed the defenses of Washington and the command of the troops as they arrived from the front in the hands of General McClellan. There is no other official act of his life for which he has been more severely criticized, but we need not go far to find a motive for it.

W. R. Vol. XII., Part III., p. 787.

Ibid., p. 798.

The restoration of McClellan to command was Mr. Lincoln's own act. The majority of the Cabinet were strongly opposed to it. The Secretary of War and the Secretary of the Treasury agreed, upon the 29th of August, in a remonstrance against McClellan's continuance in command of any army of the Union. They reduced it to writing; it was signed by themselves and the Attorney-General, and afterwards by the Secretary of the Interior.

CHAP. I. The Secretary of the Navy concurred in the judgment of his colleagues, but declined to sign it, on the ground that it might seem unfriendly to the President. In the Cabinet meeting of the 2d of 1862. September the whole subject was freely discussed. The Secretary of War disclaimed any responsibility for the action taken, saying that the order to McClellan was given him directly by the President, and that General Halleck considered himself relieved from responsibility by it, although he acquiesced and approved the order. He thought that McClellan was now in a position where he could shirk all responsibility, shielding himself under Halleck, while Halleck would shield himself under the President. Mr. Lincoln took a different view of the transaction, saying that he considered General Halleck as much in command of the army as ever, and that General McClellan had been charged with special functions, to command the troops for the defense of Washington, and that he placed him there because he could see no one who could do so well the work required. The Secretary of the Treasury in recording this proceeding does not disguise his scorn for the lack of spirit displayed by the President, and on a later date he adds: "It is indeed humiliating, but prompted, I believe, by a sincere desire to serve the country, and a fear that should he supersede McClellan by any other commander no advantage would be gained in leadership, but much harm in the disaffection of officers and troops."

Chase's Diary. Warden, p. 456 *et seq.*

Ibid., p. 470.

Mr. Lincoln certainly had the defects of his great qualities. His unbounded magnanimity made him sometimes incapable even of just resentments.

General McClellan's worst offenses had been committed against the President in person. The insulting dispatch from Savage's Station and the letter from Harrison's Landing, in which he took the President to task for the whole course of his civil and military administration, would probably have been pardoned by no other ruler that ever lived; yet Mr. Lincoln never appeared to bear the slightest ill-will to the general on account of these affronts. He did feel deeply the conduct of McClellan towards Pope. He was outraged at McClellan's suggestion to leave Pope to his fate. He said to one of his household on the 30th of August, 1862. "He has acted badly towards Pope; he really wanted him to fail"; and after he had placed him again in command of the Army of the Potomac he repeated this severe judgment, but he added, "There is no one in the army who can man these fortifications and lick these troops of ours into shape half as well as he can." Again he said, "We must use the tools we have; if he cannot fight himself, he excels in making others ready to fight." In the interests of the country he condoned the offenses against Pope as readily as those against himself.

J. H., Diary.

It may perhaps even be said that McClellan, so far from suffering at the President's hands for his unbecoming conduct towards him, gained a positive advantage by it. It was not alone for his undoubted talents as an organizer and drill-master that he was restored to his command. It was a time of gloom and doubt in the political as well as in the military situation. The factious spirit was stronger among the politicians and the press of the

CHAP. I. Democratic party than at any other time during the war. Not only in the States of the border, but in many Northern States, there were signs of sullen discontent among a large body of the people that could not escape the notice of a statesman so vigilant as Lincoln. It was of the greatest importance, not only in the interest of recruiting, but also in the interest of that wider support which a popular Government requires from the general body of its citizens, that causes of offense against any large portion of the community should be sedulously avoided by those in power. General McClellan had made himself, by his demonstration against the President's policy, the leader of the Democratic party. Mr. Lincoln, for these reasons, was especially anxious to take no action against McClellan which might seem to be dictated by personal jealousy or pique; and besides, as General Pope had himself reported, there was a personal devotion to McClellan among those in high command in the Army of the Potomac which rendered it almost impossible for any other general to get its best work out of it. General Ethan Allen Hitchcock, one of the most accomplished officers of the old army, gave this as the reason for his declining that command.

It is difficult to regard without indignation the treatment, however necessary and justifiable, which the principal actors in this great transaction received. McClellan, whose conduct from beginning to end can only be condemned, received the command of a great army, reorganized and reënforced, and with it a chance for magnificent achievement, if he had been able to improve it, which no officer before

or since ever enjoyed on this continent. Pope, who had fought with the greatest bravery and perseverance a losing battle against Lee's entire army all the way from the Rapidan to the Potomac, encouraged at every point with the hope of reënforcements which only reached him too late, and finally by his misfortune adding a new luster to the prestige of his rival and enemy, received simply the compliments and congratulations of his superiors and was then removed to a distant department of the frontier, to take no further part in the stirring scenes of a war in which he was so well qualified to bear an honorable part. McDowell, a perfect soldier, among the bravest, ablest, and most loyal officers of the army, who had done his whole duty and much more, who zealously went before and beyond the orders of his superiors, always seeking the post of utmost danger and toil, was found at the close of this campaign, in which his conduct deserved the highest credit, with his reputation so smirched and tarnished by calumny that he was never after during the war considered available for those high and important employments for which he was better equipped than almost any of his comrades. A court of inquiry, it is true, vindicated him completely from every charge that malice or ignorance had invented against him; but the two disasters of Bull Run, in successive summers, for neither of which he was to blame, remained in the popular mind inseparably connected with his name.

General McClellan himself never appreciated the magnanimity with which he had been treated. In fact, he thought the magnanimity was all upon his side. As time wore on he continually exaggerated

CHAP. I. in his own mind the services he had rendered and the needs of the Government at the time he had been placed in command, until he created for himself the fantastic delusion that he had saved the Administration from despair! In the last lines he ever wrote, shortly before his death, he gave this absolutely new and most remarkable account of the visit which Lincoln and Halleck made to him

1862. on the 2d of September:

> He [the President] then said that he regarded Washington as lost, and asked me if I would, under the circumstances, as a favor to him, resume command and do the best that could be done. Without one moment's hesitation, and without making any conditions whatever, I at once said that I would accept the command and would stake my life that I would save the city. Both the President and Halleck again asserted that it was impossible to save the city, and I repeated my firm conviction that I could and would save it. They then left, the President verbally placing me in entire command of the city and of the troops falling back upon it from the front.

"McClellan's Own Story," p. 535.

It is possible that in the lapse of twenty years General McClellan's memory had become so distorted by constant dwelling upon imagined wrongs that he was at last capable of believing this fiction. It was a fancy adopted in the last years of his life. A year after his removal from command he wrote a voluminous report of his entire military history, filling an octavo volume. He was then the acknowledged favorite of the Democratic party, the predestined candidate for the Presidency in opposition to Lincoln. He embodied in that report every incident or argument he could think of to justify his own conduct and to condemn that of the Government. Yet in this long narrative there is

no hint that Lincoln or Halleck thought the capital was lost. He apparently never dreamed of such a thing while Lincoln lived; he gave no intimation of such a charge while Halleck survived, although their relations were frankly hostile. Only after both these witnesses had passed away, and a direct contradiction was thus rendered impossible, did it occur to him to report this conversation between his patriotic heroism and their craven despair!

There is another proof that this story was an afterthought. In a letter to his family, written on the 2d, the very morning of this pretended conversation, he merely says:

Sept., 1862.

> I was surprised this morning, when at breakfast, by a visit from the President and Halleck, in which the former expressed the opinion that the troubles now impending could be overcome better by me than any one else. Pope is ordered to fall back upon Washington, and as he reënters everything is to come under my command again.

"McClellan's Own Story," p. 566.

When we consider that in these private letters he never omits an opportunity for heroic posturing, it is impossible to believe that if Lincoln and Halleck an hour or two before had been imploring him to save the capital, he would not have mentioned it. The truth is, McClellan himself has left evidence of the fact that it was he who thought Washington in danger. On the 31st of August he wrote to his wife: "I do not regard Washington as safe against the rebels. If I can quietly slip over there I will send your silver off." If it were worth while to cumber these pages with the refutation of a calumny so transparently false, we could bring the testimony of a score of witnesses to show that

Vide Ante, p. 17.

"McClellan's Own Story," p. 532.

CHAP. I. 1862.

Mr. Lincoln, during the first days of September, was unusually cool and determined. Grieved and disappointed as he was at the failure of Pope's campaign, his principal preoccupation was not at any time the safety of Washington. It was that Lee's army, as he frequently expressed it, "should not get away without being hurt." On Monday morning he said: "They must be whipped here and now. Pope must fight them; and if they are too strong for him, he can gradually get back to these fortifications." At the time McClellan represents him as hopeless of saving Washington he had no thought of the safety of that place in his mind, except as a secondary and permanent consideration. He was making ready a force to attack the enemy. On the 3d of September he wrote with his own hand this order, which sufficiently shows the mood he was in:

J. H., Diary.

> *Ordered*, that the General-in-Chief, Major-General Halleck, immediately commence and proceed with all possible dispatch to organize an army for active operations from all the material within and coming within his control, independent of the forces he may deem necessary for the defense of Washington, when such active army shall take the field.

W. R. Vol. XIX., Part II., p. 169.

This order, countersigned by the Secretary of War, was delivered to Halleck by General Townsend, and the work of preparing the army for the offensive was at once begun. McClellan, under Halleck's direction, went heartily to work to execute the orders of the President. He had none of the protecting airs he gives himself in his memoirs; his conduct was exemplary. "McClellan," said Lincoln on the 5th, "is working like a beaver. He

J. H., Diary.

seems to be aroused to doing something by the sort of snubbing he got last week." The work he was now engaged upon was congenial staff work, and he performed it with great zeal and efficiency. It suited him in after years to pretend that he was acting without orders and without communication with the Government. It was his favorite phrase that he went to Antietam with a "halter about his neck." But his letters written at the time contradict such assertions. He wrote from Washington, on the 7th of September: "I leave here this afternoon to take command of the troops in the field. The feeling of the Government towards me, I am sure, is kind and trusting."

"McClellan's Own Story," p. 551.

Ibid., p. 567.

CHAPTER II

MEXICO

CHAP. II. WHILE the Administration of Mr. Lincoln was exerting all its energies to cope with the exacting emergencies of civil war, it was compelled to watch with unsleeping vigilance the measures and intentions of enemies all over the world. The hostility of European powers, unable to find a pretext for a direct attack, manifested itself in a movement on what may be called the right flank of the Republic — against its sister nation, Mexico. This unhappy country, so long torn by internal dissensions which were the direct result of the cruel and corrupt rule of Spain, had reached, and perhaps passed, its lowest point of anarchy and misrule. The Presidency was now occupied by the most remarkable man that Mexico had produced;[1] and,

[1] Benito Pablo Juarez was born of Indian parents, poor people of unmixed native blood. He did not know a word of Spanish when at twelve years of age he was adopted by a lay friar of Oajaca and educated. He did not, however, pursue the calling of his benefactor. He adopted the profession of the law and rapidly rose to the position of Chief-Justice of the Republic. In the course of his eventful life he filled the highest offices of the nation, showing equal ability in judicial, financial, and executive functions. From the office of President of the Supreme Court he passed to the Presidency of the Republic amidst the revolutions which were tearing the State to pieces in 1858. In the next year the United States recognized him as President, and for thirteen years thereafter, through endless struggles, through war, through

under the firm and patient hands of Benito Juarez, the beginnings of something like social order were already making their appearance in the public life of the country. But the state of things existing there was still deplorable. All the evil growths that spring up in the track of a long and devastating civil war flourished in rank luxuriance. There was little safety for life or property; assassinations were of frequent occurrence; there was only the most imperfect security for the enforcement of contracts. These evils, which the Mexicans themselves were forced to bear uncomplainingly, roused constant and vehement reclamations on the part of foreigners doing business in Mexico; yet still they remained there. It was difficult for many who had embarked all their interests in affairs to get away, and it is to be presumed that there, as elsewhere, fishing in troubled waters afforded a prospect of such large gains as to compensate for the enormous risks involved. But on the 17th of July, 1861, on the recommendation of President Juarez, the Congress, which had already suppressed the religious orders and confiscated the church property, as a further means of financial relief to the nation, suspended for two years all payments on the national debt, which was principally in the hands of foreigners. Shortly after this there was a slight street disturbance in which a political procession,

revolution, and through widespread disorder and anarchy, he sustained himself with unflinching courage and faith in the future of Mexico. After infinite trials peace was restored to his country. In 1871 he was re-elected to the Presidency, and might justly have looked forward to spending his latter days in the enjoyment of the revived prosperity and remarkable industrial progress of Mexico, but, like many another great leader and ruler, he died without receiving this reward of his toil.

CHAP. II. finding itself in front of the French legation, as if with a premonition of the hostile relations which were soon to exist between the two countries, broke out in shouts of "death to the French," and a shot was fired at the legation. This outrage led to a severe protest on the part of the diplomatic body, not confined to the European Ministers, but headed by Thomas Corwin, the American plenipotentiary, whose sincere friendship for Mexico was well known. The Government, struggling with every kind of embarrassment, was unable to give prompt redress, either in the matter of financial default or in the more flagrant cases of outrage and murder.

A tax of one per cent. on all capital exceeding two thousand dollars was imposed in the month of August, and this led to new protests on the part of the diplomatic body. Sir Charles Lennox Wyke, the representative of Great Britain in Mexico, addressed frequent communications to the Mexican Foreign Office in terms of frank disrespect, to which Mr. Zamacona, the Mexican Minister of Foreign Affairs, replied in a tone of exquisite courtesy, trying to excuse what could not be remedied and continually making promises which it was impossible to keep, until at last Sir Charles Wyke made upon the Mexican Government the impossible demand that they should, by executive action, within forty-eight hours, annul the decree of Con-
1861. gress of the 17th of July; failing which, he ceased his official diplomatic relations with them. Meanwhile, diplomacy had been busy on the other side of the Atlantic between the courts of London, Paris, and Madrid. The British Government appears in the matter to have had no object in view

GENERAL PHILIP KEARNY.

GENERAL PHIL-JOHN REDER.

but the collection of money due to British subjects and the redress of wrongs committed upon them in Mexico. The intervention of Spain, though it was mainly prompted by similar motives, was not without a suspicion of ulterior dynastic designs; while on the part of France there was a mixture of many different schemes, some of which were avowed and others were unavowable. CHAP. II.

It is not within the scope of this work to recount the scandals with which the air of Paris was filled in reference to speculations in which persons near to the Tuileries were said to be engaged, and which were understood to have exercised a powerful influence upon the conduct of the French Government in its Mexican enterprise. It is enough for us to quote the letter which the Emperor himself wrote to General Forey in the summer of 1862, to show that the expedition to Mexico was founded upon the hope that the internal troubles of the American republic would prevent its rulers from interposing a veto upon the Emperor's scheme of conquest, and that he intended nothing less than to establish an empire in Mexico which would build up a barrier to the supposed ambitious schemes of the United States and vastly increase the power and prestige of the French Empire in both hemispheres. "It is our interest," he writes, "that the republic of the United States shall be powerful and prosperous, but it is not at all to our interest that she should grasp the whole Gulf of Mexico, rule thence the Antilles as well as South America, and be the sole dispenser of the products of the New World. We see to-day by sad experience how

CHAP. II.

precarious is the faith of an industry which is forced to seek its raw material in a single market under all the vicissitudes to which that market is subject. If, on the contrary, Mexico preserves her independence and maintains the integrity of her territory, if a stable government be there established with the aid of France, we shall have restored to the Latin race on the other side of the ocean its force and its prestige; we shall have guaranteed the safety of our own and the Spanish colonies in the Antilles. We shall have established our benign influence in the center of America, and this influence, while creating immense outlets for our commerce, will produce the raw material which is indispensable to our industry. Mexico thus regenerated will always be favorable to us, not only from gratitude, but also because her interests will be identical with our own, and because she will find support in the good will of European powers." If this scheme of the Emperor's, as outlined in his own words, seems vague and visionary, it is on that account all the more characteristic of its author. Few of his schemes could bear the test of reality; his most ambitious plans were of the stuff that dreams are made of; and his purposes in regard to Mexico were none the less hostile to the true interests of the American republic that they were founded upon an absolute misconception of facts and faded away in logical and predestined disappointment and discredit.[1]

[1] For some years before the war began the mind of the Emperor was very much occupied in regard to this question of planting the empire in Mexico. Professor Schele de Vere, in an account of a conversation with Napoleon III. at Biarritz in 1860, refers to the "peculiar and undisguised eagerness with which he dis-

In the correspondence of Earl Russell with Lord Cowley, the British Minister in Paris, it is evident that he was aware of some of the difficulties in the way of a tripartite joint intervention. He referred to the dislike and apprehension which the advent of Spanish troops would excite in Mexico on the part of the Liberals and of the odium of British interference on the part of the Church faction; but he exhibited a singular ignorance of the state of feeling in the South when he spoke of the "universal alarm which would be excited both in the United States and the Southern States at the contemplation of European interference in the domestic quarrels of an American independent republic." The Southern leaders would have hailed with joy the annexation of half a dozen Spanish-American republics by any European power which would have assisted them in their furious family quarrel, yet Lord Russell seriously thought the menace of the independence of Mexico on the part of European powers would have a tendency to bring about a

CHAP. II.

Sept. 30, 1861.

cussed the Mexican question. He knew the very number of guns on the Morro, the sums the United States had spent on the fortifications in Florida, the exports and imports of Galveston and Matamoras, in short, everything which well-informed local agents could have reported to an experienced statesman eager for information. He examined me again on Texas and its population, the disposition of the French residents, the tendencies of the German colonists, the feeling on the Mexican frontier. Twice, I remember well, he repeated 'La Louisiane, n'est ce pas qu'elle est Française au fond?' At last he turned to the Colonies and then stated in round terms, . . . 'Eh bien, il faut reconstruire l'Empire là bas.' From what I could gather, I was fully persuaded he proposed to seek in Mexico a compensation for the lost colonies in the West Indies, which, he said, could not be recovered 'sans nous brouiller avec nos alliés.' He insisted on it that France must sooner or later have a *pied á terre* on the Florida coast for the purpose of protecting her commerce in the Gulf, for, he added, 'Nous ne voulons pas d'un autre Gibraltar de ce côté-là.'"

Schele de Vere to Benjamin, Jan. 23, 1863. MS. Confederate Archives.

CHAP. II. Oct. 5, 1861.

reconciliation between the Northern and Southern States. A few days later Lord Russell announced that the Government of the Queen were now prepared to enter into a convention with France and Spain to obtain redress for injuries from Mexico, but that it would be proper to stipulate in the convention that the forces of the contracting parties should not be employed for any other purpose than that specified, and especially that they should not interfere with the internal government of Mexico. He thought that the Government of the United States ought to be invited to adhere to any such convention, but he did not think it necessary that in anticipation of the concurrence of the United States the three powers should defer the commencement of their contemplated operations against Mexico. The same dispatch was sent to Sir John Crampton at Madrid. The Government of Spain made no special objection to inviting the adherence of the United States, though Marshall O'Donnell doubted whether that country would care to take part in the matter, and added that Spain could not think, in any case, of postponing the measures which it had determined to adopt. He disclaimed any desire for exclusive advantages on the part of his Government. In his opinion nothing could be more detrimental to Spain than the recovery of her ancient possessions in America; with regard to Cuba and the Philippines it was different, because their insular position and other circumstances still rendered their possession advantageous to the mother country; the recent acquisition by Spain of Santo Domingo might, he remarked, appear to be a deviation from this principle, but that was accounted for by its proximity to Cuba.

CHAP. II.

Oct. 9, 1861.

As Sir John Crampton reported in a subsequent dispatch, there was perhaps a shade of difference between the views of the British and the Spanish governments in this matter. While England wanted absolutely nothing but money due her and a redress of injuries, Spain, while agreeing in general to the policy of non-intervention in the internal affairs of Mexico, still hoped, as the result of the measures proposed, for the establishment of some settled form of government which would afford guarantees for the future. Calderon Collantes remarked that at the bottom of the civil strife in Mexico there was a contest between two races which was not generally borne in mind; the Spanish race was at all times in the minority in that country, and, from natural causes, the disproportion between it and the original Indian race was continually increasing; if these causes continued to operate, unchecked by the moral superiority of the European elements, and were aggravated by a continual recurrence of intestine struggles, there could be no doubt that the germs of civilization, which had been originally planted by Spain, would be crushed out and the country would relapse into something of the same condition in which it was found by Cortes. These ideas, however, seemed merely didactic, for when Sir John asked whether the Spanish Government contemplated a prolonged occupation of the Mexican ports until such a government as they desired should be established, Calderon Collantes emphatically repudiated any such design.

The President and Mr. Seward saw clearly the inconvenience and the possible serious complica-

CHAP. II. tions which would result from the proposed intervention; and before it was concluded they made all possible efforts to remove the supposed necessity for it. Mr. Corwin, under his instructions, supported energetically at Mexico the just reclamations and the reasonable suggestions of the British Legation; and when he was convinced that the Mexican Government were really unable to meet the equitable demands of the foreign representatives, he undertook to negotiate an arrangement for supplying them with the means which they lacked. This negotiation first took the form of a proposed guarantee by the United States of the payment of the interest of the foreign national debt of Mexico, and while these negotiations were in progress Mr. Seward informed the representatives of England, France, and Spain of the intentions of the American Government, and suggested that the proposed intervention should therefore be postponed. He received no encouragement from Lord Lyons — to whom this project was communicated — that the three powers would look favorably upon it, and the plan of the American Government was afterwards modified to that of advancing to Mexico a large sum of money, all at once, for the extinction of her foreign obligations; but the entire scheme came to nothing.

1861. The tripartite convention was signed in London on the 31st of October. It was very brief and simple. It merely provided for the sending of an expeditionary force to Mexico to seize and occupy certain ports on the coast of that country; each of the contracting parties was to send a commissioner with full authority to arrange for the application

and distribution of the money due from Mexico as it should be collected; each disclaimed any intentions looking toward the acquisition of territory or of any particular advantage, or any coercion of the Mexican nation in their form of government; the convention also provided that the United States should be invited to adhere to it. The amount of the expeditionary force to be contributed by each nation was not specified in the convention, but it was afterwards arranged that the Spanish squadron should consist of 12 or 14 vessels, carrying in all about 300 guns; two large steam transports were to accompany the squadron, and the number of troops was to amount to 4000 or 5000 men; the whole expedition was to be under the command of Lieutenant-General Don Juan Prim, who was also appointed the Diplomatic Commissioner of Spain. The French expedition was to be about the same size, under the command of Admiral Jurien de la Gravière. Before the time came for the expedition to start the incident of the capture of Mason and Slidell had so strained the relations between Great Britain and the United States that it was not thought prudent in London to detach any large force to the coast of Mexico. On the 4th of December Lord Russell informed the French and Spanish courts that her Majesty's Government, "in the present state of their relations with the United States," proposed to send only one line-of-battle ship and two frigates to form part of the expedition to Mexico, and that the number of their supernumerary marines would be seven hundred. CHAP. II. 1861.

The invitation of the three powers to the United States to adhere to the convention of London was

CHAP. II. Dec. 4, 1861.

delivered on the 30th of November. Mr. Seward replied that the President did not question the undoubted right of the three powers to seek severally or jointly redress of their grievances from Mexico and to levy war against that power, if necessary; he expressed the satisfaction the President felt in the assurance given by the powers that they would not seek to impair the right of the Mexican people to choose and freely to constitute the form of their own government. It was true that the United States had claims against Mexico, but the President was of opinion that it would be inexpedient to seek satisfaction of those claims at this time through an act of accession to the convention. "Among the reasons," Mr. Seward continues, "for this decision, which the undersigned is authorized to assign, are first, that the United States, as far as it is practicable, prefer to adhere to a traditional policy recommended to them by the father of their country, and confirmed by a happy experience, which forbids their making alliances with foreign nations; secondly, Mexico being a neighbor of the United States on this continent, and possessing a system of government similar to our own in many of its important features, the United States habitually cherish a decided good-will towards that republic and a lively interest in its security, prosperity, and welfare. Animated by these sentiments the United States do not feel inclined to resort to forcible remedies for their claims at the present moment when the Government of Mexico is deeply disturbed by faction within, and exposed to war with foreign nations; and of course the same sentiments render them still more disinclined to allied

war against Mexico than to war to be urged against her by themselves alone." Mr. Seward then referred to the proposed treaty of the United States with Mexico, the object of which was to place it within the power of that nation to satisfy the just claims and demands of foreign powers, and promised, if these negotiations offered any sufficient ground on which to justify a proposition to the high contracting powers on the part of Mexico, he would hasten to submit such a proposition to them. He then informed the high contracting parties that the President proposed to send a naval force to the Gulf of Mexico to guard the interests of the United States and its citizens; this and all other measures being taken in the spirit of peace and friendship not only towards Mexico but towards the allied powers themselves. CHAP. II.

Spain did not wait for her colleagues, for on the 5th of December the Spanish expedition sailed from Havana to Vera Cruz. It was an imposing squadron of twenty-six men-of-war and transports, the troops embarking amounting to six thousand of all arms under the command of Don Manuel Gasset. This was a much larger force than was originally intended, and the chagrin of the English Government, both at the premature departure of the Spanish expedition and at its greatly increased proportions, was deepened by the announcement received in January from the French Government that the Emperor proposed to increase his expeditionary force by 3000 or 4000 men. The seven hundred British marines thus came to form a most insignificant proportion of the entire force. It was not many days later 1861.

CHAP. II. when Lord Russell became aware of the ulterior intention of the other powers in regard to the future government of Mexico. He was informed by
1862. Lord Cowley, on the 25th of January, that it was the general impression in Paris, among the officers going with the reënforcements to Mexico, that the object of the expedition was to place the Archduke Maximilian of Austria upon the throne. The French Minister of Foreign Affairs being interpellated on the subject said there had been no communication between the governments of France and Austria in regard to it, but that application had been made by prominent Mexicans to the Archduke himself. Earl Russell dryly communicated this information to Sir Charles Wyke a few days later, saying: "If the Mexican people by a spontaneous movement place the Austrian Archduke on the throne of Mexico, there is nothing in the convention to prevent it; on the other hand, we could be no parties to a forcible intervention to that purpose. The Mexicans must consult their own interests."

The allied forces met with no opposition in their occupation of Vera Cruz and the Fortress of San Juan de Ulloa; the Mexicans retired a little distance into the interior and limited their work of resistance to cutting off the supplies of the enemy. They had in their weakness and poverty a more powerful auxiliary upon their side than a disciplined army corps would have been. The climate of the Mexican lowlands—the *tierras calientes*—is one of the most deadly in the world to those unaccustomed to it. By holding the high ground between these lowlands and the capital they simply

condemned the invading force to death by yellow fever. The actual presence of the invading army upon their shores had for a time stilled the strife of faction in Mexico, and the conciliatory policy of President Juarez towards his opponents succeeded for the time in banding together all the constitutional parties in defense of the Administration. United in this momentary concord they were capable of offering a formidable resistance to the expeditionary corps, consisting of only about 25,000 in all, if they should attempt to march into the more healthful interior. CHAP. II.

Simultaneously with this novel concord among the Mexicans appeared the beginnings of serious contention among the foreigners. While the purpose of France seemed to be to forward certain stock-jobbing schemes which had their promoters in neighborhoods near the throne, and to establish a Latin empire on the ruins of the republic under the rule of an Austrian archduke, it soon became apparent that the Spanish civil and military authority, concentrated in the astute and resolute Juan Prim, Marquis de los Castillejos, had very different intentions. He carried *in petto*—it was thought—the scheme of placing upon the throne of the Aztecs a prince of the house of Bourbon, and, after having initiated and taken the advance in the expedition, he did not regard with complacency the prospect of acting merely as the cat's-paw of France in its further progress and completion. The English Government, not sharing in either of the dynastic schemes of its allies and being engaged in the expedition from practical and business motives, was ready to secede from the enterprise as soon

CHAP. II. as it could see a material advantage in such a course.

President Juarez, assisted by Señor Zamacona, who was at that time and for years afterwards one of the most distinguished of Mexican statesmen both in integrity and ability as well as in tact and adroitness, soon succeeded in fanning the flames of discontent between the allies into open disagreement. The first diplomatic success was in arranging an interview between General Prim and Señor Doblado, the Mexican Secretary of State. These high functionaries met on the road between Cordova and Orizaba and made a sort of treaty afterwards known as the convention of Soledad, from the name of the village where they met. It permitted the allies to move to a more healthful situation in the *tierras templadas*, but it adjourned the time for actual negotiations until the middle of April.

In this way a double advantage was gained by the Mexicans: they acquired from the allies a recognition of the government of President Juarez and gave him time for further military preparations, delaying the action of the allied expedition to a period when the fever would be most destructive to them; and after the convention was agreed upon, its most decided advantage on the side of the Mexicans immediately declared itself. Prim having signed it presented it to his colleagues, and while the British representative regarded it with favor as affording a precedent and basis for separate negotiation on the part of his Government, the French Admiral positively repudiated it, and the ultimate result was that, to the delight of the Mex-

icans, an open feud broke out among the allies which ended in Spain and England withdrawing from the alliance, making separate terms with the Mexican Government satisfactory to their respective foreign offices at home, and leaving France to carry on the invasion by herself.

Even before this result was reached, Juarez, foreseeing it, bent all his energies to the work of dealing with the French when they should have become completely isolated. He took the severest measures against those disaffected politicians who had imagined that in siding with the French they were merely carrying on a customary faction fight; having captured one Mexican of high rank who was complicated in the invasion he tried and executed him in sight of the French camp as a traitor and felon; he made a demand upon the French Admiral for the expulsion from his camp of Señor Almonte, the leading agent of the opposition who had come to the French camp directly from Paris bearing a letter from the Emperor. With this demand, as a matter of course, the French Admiral refused to comply, although his English and Spanish colleagues advised that Almonte should be sent away. The end of all these dissensions among them was that on the 8th of April, 1862, General Prim and Sir Charles Wyke took their leave of Admiral Jurien de la Gravière, returned to Vera Cruz with the forces, and sailed for home.

The progress of the invading party was slow. The unfortunate Almonte did his best to carry out his part of the programme by stirring up insurrections and inciting pronunciamientos in the cities nearest the French camp, but the country did not

CHAP. II. take fire at his approach as he had promised the courts of Paris and Vienna. It was evident that the force on the ground was entirely inadequate to the work to be done; and General Lorencez came with reënforcements in the course of the spring, which so far encouraged Almonte and his faction that they assured the general that if he would march on Puebla the city would throw open its gates at his approach. Deceived by these promises Lorencez went forward and encountered a prompt and severe defeat under the walls of Puebla; he was forced to retreat to Orizaba, whence he reported his misadventure and asked for reënforcements. Several indecisive engagements took place between his force and the Mexican army. The French had generally the advantage in battle, but the vomito rapidly avenged the Mexican losses by the sword.

Even if the Emperor of France had now been able to perceive the unfortunate tendency of the enterprise upon which he had entered with so little judgment and foresight, it was out of his power to withdraw from it. Not only was the honor of France seriously engaged in this contest with a people so weak and so torn by internal dissensions that defeat of the French arms by them would have been an irreparable disgrace, but he knew also that the political effect of confessing a failure in this adventure would be disastrous in the extreme. He therefore sent over in October, 1862, a reënforcement of 35,000 men under command of General Forey. This force comprised, besides the picked troops of the French army, a force of Egyptian black troops, a friendly loan to the Em-

peror from Said Pasha.[1] Threatened by this formidable army, Juarez still did not lose heart, but exerted himself to the utmost to prepare an adequate reception for the invaders in their next march towards the capital; the city of Puebla was as strongly fortified as the slender resources of the republic would permit. The Mexicans did not wait this time to receive an assault within their fortifications; they went forward, meeting the advance of Forey, and almost destroyed a force of 4,000 men under General Berthier, and when at last Forey came with his main force before Puebla it was only to repeat the disaster of Lorencez in the spring. CHAP. II.

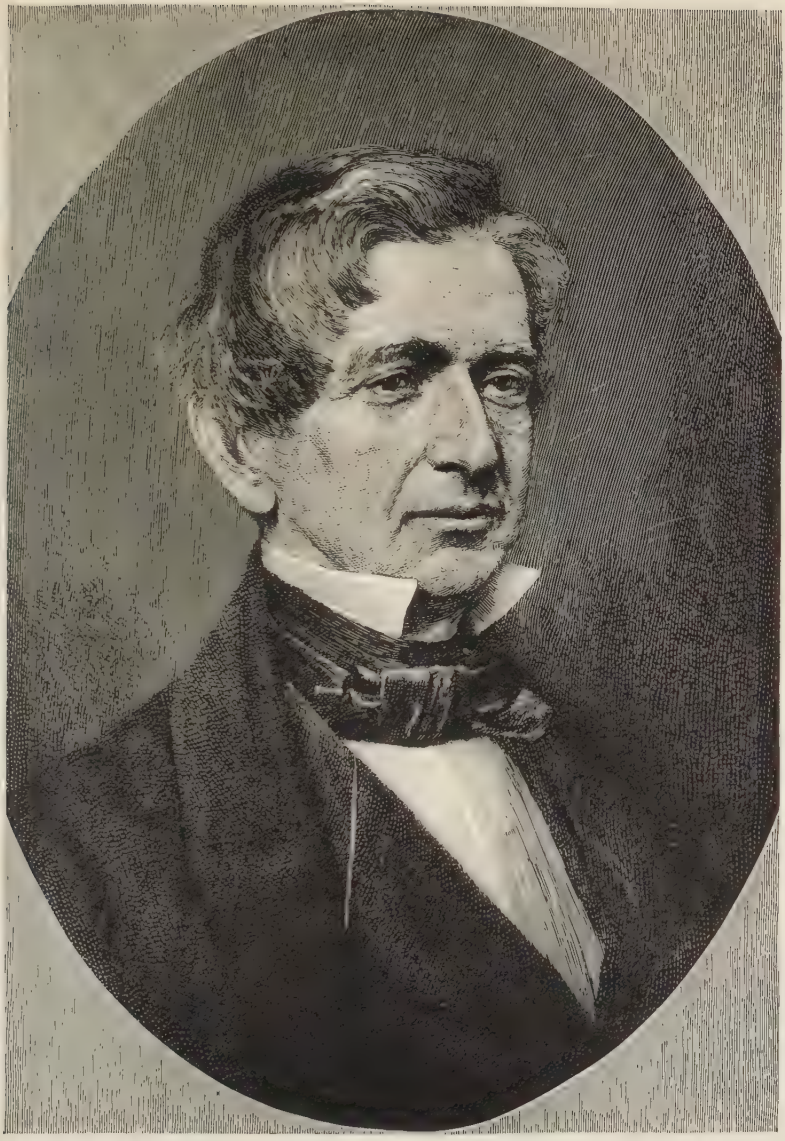
When winter came on, Tampico and Jalapa, which had been held for some time by the French, were evacuated to allow Forey to bring all his troops to the defense of his threatened lines, and small-pox took up the work of destruction which the vomito, at the approach of cold weather, had relinquished. With the close of the year the only result which the French commander could report to his Emperor was a sadly diminished force and a pressing necessity for reënforcements. After their refusal to join the European powers in the proposed intervention in Mexican affairs, the Government of the United States saw no necessity of further action, except to define their attitude with the utmost clearness for the benefit of all parties. A circular of the Secretary of State dated the 3d of March, 1862, contains the following statement:

1 "Mr. Seward told me the French Minister had applied to us for negroes to go as soldiers to Mexico, and being refused had applied to the Pasha of Egypt and got one regiment."— Diary of H. J. Raymond, "Scribner's Monthly," March, 1880, p. 708.

CHAP. II.

> The President has relied upon the assurance given his Government by the allies that they were in pursuit of no political object, but simply the redress of their grievances. He entertains no doubt of the sincerity of the allies, and if his confidence in their good faith had been disturbed it would be restored by the frank explanation given by them that the governments of Spain, France, and Great Britain have no intention of intervening to procure a change in the constitutional form of government now existing in Mexico, or any political change which should be in opposition to the will of the Mexican people. In short, he has cause to believe that the allies are unanimous in declaring that the revolution proposed to Mexico is solely prompted by certain Mexican citizens now in Europe.

There is reason to think that the President was not quite so naïve as to receive with absolute credulity the assertions of the allied powers as to their innocent intentions towards the Mexican republic, and in reading that diplomatic circular and others like it, one cannot but recognize a certain tone of courteous sarcasm in these repeated assertions of perfect faith in the representations made by the allied monarchs. But it was not in the power of the Government of the United States to take any different action at that moment, and, though giving utterance to no expressions of indignation at the aggression upon a sister republic or of gratification at disasters which met the aggressor, the President and Mr. Seward, while continually asserting, at every proper opportunity, the adherence of the American Government to its traditional policy of discouraging European intervention in the affairs of the New World, simply bided their time.



WILLIAM H SEWARD.

CHAPTER III

DIPLOMACY OF 1862

THE second year of Mr. Lincoln's Administration was one of serious dangers and complications in the foreign relations of the United States. It was in this year that were seen the most mischievous results of the precipitate recognition of the Confederacy as a belligerent power. The original mistake of the French and British governments in putting upon equal terms a great and friendly power and the insurgent organization of a portion of its citizens, had its condemnation repeated in the events of every month of the year 1862. The complications forced upon the diplomacy of all three nations by this state of things were met by the President and Mr. Seward, not only with unyielding firmness and fortitude, but with prudence and skill, a broad comprehension of legal principles, and an instinctive adherence to justice and equity. An international tribunal stamped their action with its authoritative approval after both of them were dead, in a decision which all parties accepted, and which will probably be confirmed by the final verdict of history.

We have not the space to give any adequate abstracts of the correspondence between the State

CHAP. III. Department and the American Legation in London during this eventful year. But the instructions of Mr. Seward and the dispatches of Charles Francis Adams will remain in the published archives of the department a monument of the unsleeping vigilance, the unwearied industry, the patriotic devotion, and the remarkable ability of both of these statesmen, while through the whole course of these momentous discussions, the guiding and controlling hand of Mr. Lincoln is continually seen as the responsible director of American policy. We can only mention a few of the more important events which came under discussion during the year.

Among the earliest subjects of difference which arose between the two countries was the refusal of the British Government to allow the United States naval vessels to supply themselves with deposits of coal which the Government of the United States had provided for them at Nassau. This injurious action of the British authorities was rendered still more flagrant by permission granted to Confederate vessels to buy and take on coal in the same ports where United States vessels had not been allowed to load coal belonging to their Government. At this time also Confederate cruisers were allowed to supply themselves with coal in the ports of England. All these acts, being complained of by Mr. Adams, were defended by Lord Russell on the ground that they were strictly within the provision of the Queen's proclamation of neutrality. Mr. Seward protested against the approval by the British Government of the proceedings of the Governor of Nassau as "unfriendly towards a power that extends unrestricted hospitality towards the

naval as well as the mercantile marine of Great Britain in its ports and harbors." The fact that the British Government justified such proceedings by a reference to the Queen's proclamation of neutrality did not alleviate the grievance. "The explanation," said Mr. Seward, "obliges us to renew the declaration this Government has so often made, that it regards the proclamation itself as unnecessary, unfriendly, and injurious."

But by far the most important subject of discussion in its immediate and ultimate bearings was the building and fitting out in English ports of Confederate cruisers to destroy the commerce of the United States. In reviewing this long correspondence, lasting through several years, one would hesitate to say that the British Government was actuated by feelings positively unfriendly to the United States. It is easier to conclude that not being sure which side would win, and being entirely indifferent to the contest between the Federal Government and the rebellion, it stood simply upon the letter of the English law without regard to any consequences which might result from such action. The fact is, that under the eyes of the British Government the work of building and making ready for sea these swift cruisers, whose only object was the destruction of the peaceful commerce of a friendly nation, went on to its end, month after month, although every stage of the progress of such hostile preparations was made known to the Government by the incessant and vehement protests of the American Minister in London. On the 18th of February, 1862, Mr. Adams informed Earl Russell that an armed steamer

CHAP. III. was preparing to sail from Liverpool to make war against the United States. Earl Russell replied, on the authority of the Commissioners of Customs at Liverpool, that the steamer was built for the purpose of peaceful commerce to be sent to Palermo, in Sicily; and work on the vessel went on. A month later Mr. Adams again wrote to the English Foreign Secretary repeating his conviction that the *Oreto*, as the vessel was then called, was a war-ship destined to be used by the insur-
1862 gents in America; to which, on the 8th of April, Earl Russell replied, repeating, this time upon the authority of the Lords Commissioners of Her Majesty's Treasury, the assurance that the *Oreto*, which in the mean while had sailed from Liverpool, was an unarmed and innocent commercial vessel. A week later, in a personal interview, Mr. Adams again assured Earl Russell that the fact of the true destination of the vessel was notorious all over Liverpool; no commercial people were blind to it; and the course taken by Her Majesty's officers in declaring ignorance only led to an inference most unfavorable to all idea of their neutrality in the struggle; to which Lord Russell replied by a polite expression of regret at these circumstances, but could not see how the Government could change its position. Shortly after, this innocent trading vessel arrived at Nassau, where she found her destined Confederate commander, and after some futile legal proceedings sailed for Mobile Bay, which she entered under the British naval flag, and thence sailed to begin her career of destruction on the ocean under the name of the *Florida* and the flag of the Confederacy.

Meanwhile a more serious violation of the friendly obligations of England was in progress in the port of Liverpool. A vessel, called at the time by her dock number of "290," but which afterwards achieved a wide notoriety under the name of the *Alabama*, was in process of construction in that port and preparing for sea under circumstances which left no doubt whatever of her errand. One of her owners was Mr. Laird, a Member of Parliament who had distinguished himself by a conspicuous advocacy of the Confederate cause in England, and those in charge of the vessel, emboldened by the action of the Government in the case of the *Oreto*, made no special effort to dissemble her object and purpose. Mr. Adams brought these facts to the notice of Lord Russell on the 23d of June, and the Lords Commissioners, to whom the subject was referred, reported with unusual promptitude, only a week later, that the fitting out of the vessel did not escape the notice of the revenue officers, but that, as yet, nothing special had come to light. The vessel was intended for a ship of war; it was reported to be built for a foreign government; but the builders were not talkative, and there were not sufficient grounds to warrant her detention. Mr. Adams, unable to gain the attention of the Government, ordered the consul at Liverpool to lay all the facts in his possession before the Commissioners, and requested Captain Craven, commanding the United States ship *Tuscarora*, to endeavor to intercept the cruiser on her way out. The consul performed his duty with so much energy and fullness of detail that the Commissioners felt bound to give the subject further

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CHAP. III. attention; but they still insisted, July 15th, that there was not sufficient *prima facie* proof to justify the seizure of the vessel. Undaunted by these repeated rebuffs, Mr. Adams continued to ply the Foreign Office with documents of the most con-

1862. vincing character, and on the 24th of July sent Lord Russell an opinion of one of the most eminent of English lawyers, Mr. Collier, afterwards Lord Monkswell, declaring positively that on the case as presented it was the duty of the Liverpool authorities to detain the vessel, and that they would be incurring a heavy responsibility in allowing her to go. He added, "It appears difficult to make out a stronger case of infringement of the Foreign Enlistment Act, which, if not enforced on this occasion, is little better than a dead letter."

Spencer Walpole, "Life of Lord John Russell." Vol. II., p. 353.

It is claimed on behalf of Lord Russell that this most important letter only reached him on the 26th and that it was immediately sent to the law officers. The next day was Sunday, and it was the afternoon of Monday, the 28th, before the law offi-

Ibid., p. 354. cers began their leisurely examination of the case. Even while Sir Roundell Palmer and Sir William Atherton were examining the papers, the "290" left her moorings and anchored in the Mersey, and the next morning, before they had communicated to the Foreign Office their opinion that she ought to be stopped, she had sailed away. The injunction to stop her reached Liverpool too late, and the Government sent useless orders in several directions to

Ibid., p. 355. detain her. It is said that Lord Russell and the Duke of Argyll were in favor of issuing orders to seize her in any colonial port she might enter, but they were outvoted in Cabinet.

The corsair evaded the *Tuscarora* by passing out through the North Channel and was joined at the Western Islands by a bark which had taken on at London a cargo of arms. While she was completing her armament another English vessel arrived with Captain Raphael Semmes, formerly of the *Sumter*, and his staff on board, a further supply of arms, and the rest of her crew. Captain Semmes took command, and drawing up the crew read his commission as a post-captain in the Confederate navy, and opened his sealed orders in which he was directed to hoist the Confederate ensign and pennant and "to sink, burn, or destroy everything which flew the ensign of the so-called United States of America." The flag was raised, a gun was fired, and Semmes declared his vessel duly commissioned in the Confederate service. The vessel was English, the armament was English, almost all the crew were English. The *Alabama* sailed at once on her mission of robbery and destruction. Her method of procedure was unique in the annals of war; there was not a port in existence into which she could carry a prize; she therefore destroyed every merchant vessel sailing under the American flag which she could fall in with, robbing them of whatever portable articles of value she could find on board, bonding those who would sign a bond, crowding her own decks with sailors and passengers until the throng was so great that there was no more room for them, and then putting them aboard some passing vessel. Captain Semmes amused himself by occasionally putting the captain of some petty trader or whaler in irons, informing them that it was in retaliation

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for the treatment of Confederates by the Washington authorities.

Great efforts were made by the American Government to track and find this rover of the deep; but the pursuit of a single vessel on the high seas is almost like the pursuit of a single bird in the immensity of the heavens. While the *Sabine* was searching the coast of the Azores, the *Alabama* was supplying herself with coal from a British bark at Martinique; while the *Wyoming* was watching off Manila, the *Alabama* was enjoying British hospitalities at Singapore; and in brief, she never came in contact with any armed vessel of the United States except on two occasions. On the night of the 11th of January, 1863, she approached near enough to the *Hatteras* — a mere Delaware River excursion boat — under the false hail of "Her Majesty's Ship *Petrel*," to fire a broadside into the American vessel which sent her to the bottom, and in June, 1864, she met the *Kearsarge* in the English Channel, and a just retribution at the mouth of her guns.

J. R. Soley, "The Blockade and the Cruisers," p. 196.

British commerce was itself not entirely exempt from damage from this piratical cruiser. Many of the vessels destroyed bore cargoes belonging to English merchants, and though, in the long run, the destruction of American commerce inured to the benefit of English shipowners, the inconveniences and damage inflicted upon British interests at the beginning of this Confederate piracy were not inconsiderable, and an attempt was made by British shippers to induce their Government and their legation at Washington to interfere for their protection by application to the Confederate Gov-

ernment to grant immunity to British goods on American vessels, or, failing that, to furnish British shippers with letters protesting against the destruction of British merchandise — requests which, of course, were refused. CHAP. III.

On the last day of September, 1862, Mr. Adams, addressing the British Government in regard to the injuries inflicted by the *Alabama* on American commerce, informed them that he had strong reasons to believe that other enterprises of the same kind were in progress, in the ports of Great Britain, of such notoriety as to be openly announced in the newspapers of Liverpool and London; to which Lord Russell made the dry reply: "I have to say to you, that much as her Majesty's Government desire to prevent such occurrences, they are unable to go beyond the law, municipal and international." On the 16th of October Mr. Adams reported to the State Department: "It is very manifest that no disposition exists here to apply the powers of the Government to the investigation of the acts complained of, flagrant as they are, or to the prosecution of the offenders. The main object must now be to make a record which may be of use at some future day." The record was made, and it proved to be of use.

There was a moment, indeed, at the close of the year 1862, when the British Government had apparently some idea of so amending their Foreign Enlistment Act as to give greater power to the Executive to prevent the construction of ships in British ports to be used against friendly powers. This suggestion was made to Mr. Adams, who communicated it to his Government, and, having ob-

CHAP. III. tained their instructions, informed Lord Russell that his suggestions of amendment which would make the Enlistment Act more effective had been favorably considered; that although the law of the United States was regarded as sufficient, the Government were not unwilling to consider propositions to improve it. But Lord Russell then replied (March, 1863) that since his note was written the subject had been considered in Cabinet, and the Lord Chancellor had expressed the opinion that the British law was sufficiently effective, and that under these circumstances he did not see that he could have any change to propose.

On the 19th of January, 1863, the State Department transmitted to Mr. Adams a large amount of evidence from Confederate sources showing a systematic violation of the neutrality laws in England. He laid this testimony before Earl Russell on the 9th of February, saying, in his grave and measured style: "These papers go to show a deliberate attempt to establish within the limits of this kingdom a system of action in direct hostility to the Government of the United States. This plan embraces not only the building and fitting out of several ships of war under the direction of agents especially commissioned for the purpose, but the preparation of a series of measures under the same auspices for the obtaining from her Majesty's subjects the pecuniary means essential to the execution of these hostile projects." It was a month before Lord Russell replied to this communication; he then treated it as of little importance, saying that, even if the allegations were true, there was no proof in the papers that the agents

referred to had as yet brought themselves within the reach of the criminal law of England. In view of the negotiations for the amendment of the criminal law, which had just been attempted, and given up because the British Government could find nothing to amend, Mr. Adams justly thought this a singular attitude to assume; and sought an interview with Lord Russell on the 26th of March. Lord Russell himself reported the essential results of that interview in a dispatch to Lord Lyons: "With respect to the law itself, Mr. Adams said either it was sufficient for the purposes of neutrality, and then let the British Government enforce it, or it was insufficient, and then let the British Government apply to Parliament to amend it. I said that the Cabinet were of opinion that the law was sufficient, but that legal evidence could not always be procured; that the British Government had done everything in its power to execute the law, but I admitted that the cases of the *Alabama* and *Oreto* were a scandal and, in some degree, a reproach to our laws." Thus—in the view of Mr. Lincoln and Mr. Seward—a great and friendly nation was put upon the level of an ordinary litigant, compelled to use only such evidence as would be valid to convict a criminal in court, and was told that although the English law permitted scandalous violations of neutrality, no proposition to amend the law would be entertained.

Case of the United States at Geneva, p. 253. Papers relating to the Treaty of Washington, p. 103.

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All through the year the correspondence continued; Mr. Adams representing in strong, though temperate and courteous language, the injuries done to the interests of both countries not only by the construction in British ports of vessels of

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war for the use of the insurgents, but also by the constant and apparently organized efforts of British subjects to break the blockade. The risks in this unlawful traffic were very great, but the profits were commensurate with the dangers, and every successful voyage stimulated the cupidity and the enterprise of adventurous traders so that the evil continually increased. To all the representations of the American Government the British Ministry replied that it was "impossible to listen to any suggestions in the direction of imposing arbitrary restrictions on the trading of her Majesty's subjects. The ingenuity of persons engaged in commerce will always, in some degree, defeat attempts to starve or debar from commercial intercourse an extensive coast inhabited by a large and industrious population." The American Minister immediately responded, naturally enough, that if the laws of Great Britain were not sufficiently efficacious to prevent proceedings so injurious not only to her own interests but to those of a friendly nation, the Government should take steps to have those laws amended. These propositions were not entertained by the British Government; they preferred to stand upon their municipal law as at present constituted.

Lord Russell to Mr. Adams, May 6, 1862.

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Early in the year the Government of the United States, by its own unprovoked and unsolicited movement, proposed to that of Great Britain the removal of a source of conflict and irritation between the two countries that more than once had brought them to the verge of war. They proposed to provide by treaty between the two countries for the suppression of the African slave-trade, and for the reciprocal right of visitation by the ships of

their respective navies of such merchant vessels of the two nations as might upon reasonable grounds be suspected of being engaged in the African slave-trade or of being fitted out for that object. A treaty for this purpose was signed at Washington on the 7th of April, ratified by the Senate unanimously and afterwards distinctly approved, with no less unanimity, by both Houses of Congress. Mr. Seward said of it: "It was freely offered by this Government to Great Britain, not bought nor solicited by that Government. It is in harmony with the sentiments of the American people. . . Not a voice has been raised against it in the country." This treaty, demanded by the moral sense of the American people, was regarded at the time with disfavor by those powers which still cherished the institution of slavery in their colonies. It was the special subject of criticism by the Government of Spain. In a conversation with Mr. Perry, Calderon Collantes admitted that Spain had herself conceded to Great Britain the same right of visitation "at a period of her history which could not be recalled with pleasure. The exercise of this right was vexatious, and, besides, the English were always talking, in Parliament and out, of their having purchased the right of Spain for £40,000 sterling, always putting their money forward; and he would be exceedingly glad of an opportunity to give them their £40,000 and have their treaty back again."

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Mr. Seward to Mr. Perry, August 2, 1862.

In France the difficulties which presented themselves to the American Minister, and the questions which he was compelled to discuss, were of a somewhat different character from those which were forced upon the attention of Mr.

CHAP. III. Adams in England. In the early part of the year William L. Dayton placed on record a remarkable admission which was made to him in conversation by the Emperor himself, when Mr. Dayton was showing the injurious results of the proclamations of neutrality of France and England. The Emperor declared frankly, that when the insurrection broke out and this concession of belligerent rights was made, he did not suppose the North would succeed; that it was the general belief of statesmen in Europe that the two sections would never come together again, and this belief, he intimated, was the principal reason why the concession of belligerent rights was then granted. The Government of France, even more than that of England, set forth the inconveniences to which commerce was subjected by the stoppage of the American supply of cotton, and urged the Government of the United States to take some measures to renew that supply. During the first year of the war the American Government hoped that the capture of a few of the Southern seaports would greatly modify that inconvenience, and were seriously disappointed when it was found that even the capture of so important a place as New Orleans did not result in any considerable supply of cotton.

1862. As the year wore on the French projects of intervention in Mexico took more and more definite shape, and the relations of the two countries, while they continued outwardly as cordial and as friendly as ever, became subjected to a certain strain by virtue of the conviction which was forced upon each that the intentions cherished by the other were not altogether acceptable. The opinion in

America slowly gained ground that, if the French were suffered to establish themselves in Mexico, the most serious complications might arise upon our Southwestern border, and the Government in France was more or less preoccupied with the question as to what policy would be adopted in regard to the French in Mexico, by the President of the United States, in case of a complete victory of the national forces over the insurgents. For this reason the Emperor became excessively anxious for some settlement of the American conflict other than the complete and final victory of the Union cause; and for that purpose the governments of England and Russia were consulted by that of France, and invited to enter into a joint proposition to the United States for mediation between the National Government and the insurgents. In announcing this intention to Mr. Dayton, Mr. Drouyn de l'Huys, the French Minister of Foreign Affairs, covered the disagreeable fact with the friendliest and most amiable terms, declining even to use so forcible a term as "mediation," and saying, if there were any word which could express less than that, such a word should be used in its place. When Mr. Dayton asked him what would be the result if such an offer should be made and refused, he answered at once: "Nothing; we will be friends as we have been." Mr. Dayton before terminating the interview expressed himself — and with such sincerity and frankness that no doubt should have been left on the mind of the French Minister — to the effect that any such overture, made jointly or singly to the United States, would be useless; and, in fact, every utterance, public

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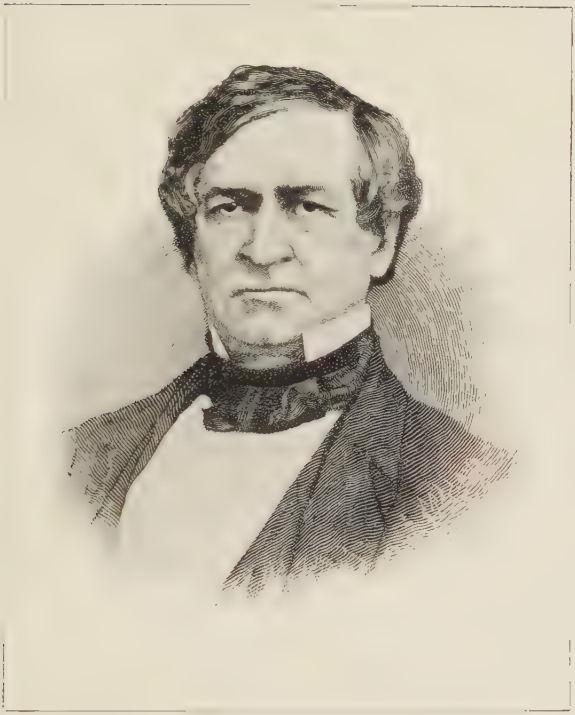
or confidential, of the Government of the United States, through every channel of expression from the beginning of the war to that time, ought to have shown to all the European powers the utter futility of such measures. It was the very foundation of all the President's instructions to Ministers abroad that such suggestions from foreign powers were utterly beyond their competence to receive or discuss; that the rebellion was exclusively a municipal matter, the importance of which he had no thought of disguising, but with which no foreign power had the slightest right to interfere. But undeterred by any such considerations, the Government of France persisted in its attempt to bring about a joint overture of mediation between the United States and the force in arms against them. In a dispatch addressed by the Imperial Government to its Ministers in England and Russia it was proposed that the three Cabinets should exert their influence at Washington, as well as with the Confederates, to obtain "an armistice for six months, during which time every act of war, direct or indirect, should provisionally cease on the sea as well as on land, and it might be, if necessary, ulteriorly prolonged." "The overture," said Drouyn de l'Huys, "would not imply on our part any judgment of the origin or issue of the struggle, nor any pressure upon the negotiations which might, it is to be hoped, ensue in favor of an armistice. Our task would consist solely in smoothing down obstacles and not interfering except in a measure determined upon by the two parties. We are not, in fact, to believe ourselves called upon to decide but to prepare the solution of difficulties which

October 30, 1862.



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hitherto have opposed reconciliation between the belligerent parties." He thought the three powers would combine conditions best suited to inspire confidence: the Government of the Emperor by the constant tradition of French policy towards the United States; England by the community of race; Russia by the marks of friendship she had never ceased to show to the Washington Cabinet. Even should the attempt fail, the Emperor thought it might be of use; it would fulfill a duty of humanity and perhaps encourage public opinion to views of conciliation. The English Government replied to this overture on the 13th of November. While recognizing the benevolent views and humane intentions of the Emperor, the British Government concluded that there was no ground at that moment to hope that the Federal Government would accept the proposed suggestion, and a refusal from Washington at that time would prevent any speedy renewal of the offer. The Government of the Queen therefore concluded that it would be better to wait and watch the progress of events in America, to the end that if there should appear to be hereafter a change of public opinion, such steps might be then taken with a better hope of success.

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The reply of the Russian Government was equally decided in its refusal. Prince Gortschakoff said that it was especially necessary to avoid the appearance of any pressure whatsoever of a nature to wound public opinion in the United States, and to excite susceptibilities very easily roused at the bare idea of foreign intervention. Even in the case of the French and English governments regarding such a step as opportune, the Russian Government

CHAP. III. declined to join in it, but promised that their Minister at Washington should unofficially give his moral support to any conciliatory measures that might be taken. Even at this time, when the Russian Government was giving this conspicuous proof of its friendly feeling towards the United States, there was little confidence felt in St. Petersburg of the ultimate success of the national cause. Prince Gortschakoff said to Bayard Taylor on the 1862. 29th of October: "Your situation is getting worse and worse; the chances of preserving the Union are growing more and more desperate. . . Can you find no basis of arrangement before your strength is so exhausted that you must lose for many years to come your position in the world?"

Spencer Walpole, "Life of Lord John Russell." Vol. II., p. 344 *et seq.*

Many years elapsed before it became generally known how near the British Government had come to accepting or even anticipating the overtures of France for mediation. On the 17th of October, 1861, Lord John Russell had proposed a somewhat peremptory summons to the North and South to make up their quarrel, but Lord Palmerston had not thought it advisable. In September, 1862, Lord Palmerston himself revived the proposition in a note to Lord Russell, who was in attendance on the Queen at Gotha. Lord Russell at once gave his adhesion to the scheme. "I agree with you," he said, "that the time is come for offering mediation to the United States Government, with a view to the recognition of the independence of the Confederates. I agree further that, in case of failure, we ought ourselves to recognize the Southern States as an independent state." Lord Palmerston answered in the same vein; but when the

matter was broached to Lord Granville, who was by this time in attendance on the Queen on the Continent, he protested against the scheme with such energy as somewhat to shake Lord Palmerston's determination. Besides this, the Confederates had not pushed their successes against McClellan as the English expected; and when, on the 23d of October, the Cabinet met to consider the subject, the strong objections of Sir George Grey and the Duke of Newcastle were sufficient to prevent action; and the next month the Cabinet rejected the very proposal, coming from France, which its principal members had intended to lay before the Emperor.

CHAPTER IV

MEDIATION DECLINED

AFTER the failure of his overture for joint mediation, and after the unqualified utterances of the United States against such measures, it might seem singular that the Emperor of the French should not have recognized the uselessness of similar attempts. Mr. Seward, after the rejection of the French overtures by England and Russia, treated the matter in a brief and dignified note to Mr. Dayton, in which he declined to discuss the subject at any length: "Such a debate upon a subject which has already lost its practical character, or which, to speak more accurately, has not attained such a character, may produce irritations and jealousies which the President desires to avoid." Yet at the risk of exciting just such irritations and jealousies the Emperor again sought to approach the Government of the United States alone, with a message which he had already been informed would have been rejected if brought by all the great powers of Europe jointly. Drouyn de l'Huys addressed a dispatch to M. Mercier, the French Minister in Washington, on the 9th of January, 1863, in which, while he refers to the little success of former overtures, he says that "the

Government of the Emperor has seriously examined the objections which have been made to us when we have suggested the idea of a friendly mediation, and we have asked ourselves whether they are truly of a nature to set aside as premature every tentative to a reconciliation." He is not unaware of the repugnance of the United States to an intervention of foreign powers, nor of "the hope which," as he says, "the Federal Government has not abandoned of obtaining a solution by force of arms"; but amid all the courteous forms in which his expression is wrapped it is evident he thinks that repugnance is unreasonable and that hope fallacious. He reminded the Government of the United States of the conferences which preceded the acknowledgment of their independence by Great Britain, and continued, in a paragraph which we will give without abridgment, to set forth a proposition which was little less than that of the surrender of the national authority: "Nothing, therefore, would hinder the Government of the United States, without renouncing the advantage which it believes it can attain by the continuation of the war, from entering upon informal conferences with the Confederates of the South in case they should show themselves disposed thereto. Representatives or commissioners of the two parties could assemble at such point as it should be deemed proper to designate, and which could for this purpose be declared neutral. Reciprocal complaints would be examined into at this meeting. In place of the accusations which North and South mutually cast upon each other at this time, would be substituted an argu-

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mentative discussion of the interests which divide them. They would seek out by means of well ordered and profound deliberations whether these interests are definitely irreconcilable; whether separation is an extreme which can no longer be avoided, or whether the memories of a common existence, whether the ties of every kind which have made of the North and of the South one sole and whole federative state, and have borne them on to so high a degree of prosperity, are not more powerful than the causes which have placed arms in the hands of the two populations. A negotiation, the object of which would be thus determinate, would not involve any of the objections raised against the diplomatic intervention of Europe, and, without giving birth to the same hopes as the intermediate conclusion of an armistice, would exercise a happy influence on the march of events."

This overture of mediation was received on the 3d of February, and was answered by Mr. Seward, under the President's instructions, only three days later. It was a dark period of the war, between Fredericksburg and Chancellorsville. There was much in the attitude of veiled hostility of European powers to discourage and depress, but the statesmen charged with the welfare of the republic met this insidious attack,[1] as they met all others,

[1] The Comte de Paris, in his "History of the Civil War," Vol. VI., p. 78, gives the following just appreciation of the proceeding of the Emperor. After saying that Europe generally sympathized with the peace Democrats of the United States in regarding "the efforts and the perseverance of the Federal Government as the result of a culpable blindness, of a bloodthirsty obstinacy," he adds, "The Government of the Tuileries, in contempt of the sound traditions of the French monarchy, proposed to England to intervene for the purpose of bringing about a mediation. It is true that it had not the courage to pursue to the end the policy

with unshaken courage and fortitude. The reply of Mr. Seward to the French overture of mediation was one of the most important state papers written during the war. He referred in the beginning to the language used by Drouyn de l'Huys in regard to the protraction of the struggle and the hopes of the Federal Government. "These passages," he says, "seem to me to do unintentional injustice to the language, whether confidential or public, in which the Government has constantly spoken on the subject of the war. It certainly has had and avowed only one purpose—a determination to preserve the integrity of the country. So far from admitting any laxity of effort or betraying any despondency, the Government has, on the contrary, borne itself cheerfully in all vicissitudes, with unwavering confidence in an early and complete triumph of the national cause. Now, when we are in a manner invited by a friendly power to review the twenty-one months' history of the conflict, we find no occasion to abate that confidence. Through such an alternation of victories and defeats, as is the appointed incident of every war, the land and naval forces of the United States have steadily advanced, reclaiming from the insurgents the ports, forts, and posts which they had treacherously seized before the strife actually began, and even before it was seriously apprehended. So many of the States and districts which the insurgents included in the

in which it had become engaged in Mexico. Taking its wishes for reality, it persuaded itself so completely of the imminent defeat of the North that it thought the destruction of the Union, which was an essential condition of the success of its trans-Atlantic schemes, would accomplish itself if left alone. Nevertheless, the French dispatch of the 9th of January, 1863, was a threat which might be carried into action at any time."

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field of their projected exclusive slaveholding dominions have already been reëstablished under the flag of the Union, that they now retain only the States of Georgia, Alabama, and Texas, with half of Virginia, half of North Carolina, and two-thirds of South Carolina, half of Mississippi, and one-third, respectively, of Arkansas and Louisiana. The national forces hold even this small territory in close blockade and siege. This Government, if required, does not hesitate to submit its achievements to the test of comparison; and it maintains that in no part of the world, and in no times, ancient or modern, has a nation, when rendered all unready for combat by the enjoyment of eighty years of almost unbroken peace, so quickly awakened at the alarm of sedition, put forth energies so vigorous, and achieved successes so signal and effective as those which have marked the progress of this contest on the part of the Union."

Mr. Seward then goes on to say that he fears M. Drouyn de l'Huys has taken other light than the correspondence of this Government for his guidance in ascertaining its temper and firmness. He has been misled by the freedom of opposition and criticism allowed by our laws and customs, but he reminds him that "not one voice has been raised anywhere, out of the immediate field of the insurrection, in favor of foreign intervention, of mediation, of arbitration, or of compromise, with the relinquishment of one acre of the national domain, or the surrender of even one constitutional franchise. At the same time it is manifest to the world that our resources are yet abundant, and our credit adequate to the exacting emergency."

In answer to Drouyn de l'Huys's suggestion that the Government shall appoint commissioners to meet, on neutral ground, commissioners of the insurgents, and to arrange with them a basis of agreement, he says that this amounts to nothing less than a proposition that while this Government is engaged in suppressing an armed insurrection, with the purpose of maintaining the constitutional national authority and preserving the integrity of the country, it shall enter into diplomatic discussion with the insurgents upon questions whether that authority shall not be renounced, and whether the country shall not be delivered over to disunion, to be quickly followed by an ever-increasing anarchy. Mr. Seward replied that even if it were possible for the Government of the United States to compromise the national authority so far as to enter into any such debates, no good results could flow from them; the insurgent leaders would never consent to forego the ambition that has impelled them to the disloyal position they are occupying. The loyal people of the South would be unheard in any such discussion, and any offer of peace by the Government on the condition of the maintenance of the Union must necessarily be rejected. "On the other hand, as I have already intimated, this Government has not the least thought of relinquishing the trust which has been confided to it by the nation under the most solemn of all political sanctions; and if it had any such thought, it would still have abundant reasons to know that peace proposed at the cost of dissolution would be immediately, unreservedly, and indignantly rejected by the American people. It is a great mis-

CHAP. IV. take that European statesmen make, if they suppose this people are demoralized. Whatever, in the case of an insurrection, the people of France, or of Great Britain, or of Switzerland, or of the Netherlands would do to save their national existence, no matter how the strife might be regarded by or might affect foreign nations, just so much, and certainly no less, the people of the United States will do, if necessary, to save for the common benefit the region which is bounded by the Pacific and the Atlantic coasts, and by the shores of the Gulf of St. Lawrence and Mexico, together with the free and common navigation of the natural highways by which this land, which to them is at once a land of inheritance and a land of promise, is opened and watered. Even if the agents of the American people now exercising their power should, through fear or faction, fall below this height of the national virtue, they would be speedily, yet constitutionally, replaced by others of sterner character and patriotism."

Mr. Seward objects to the use of the phrase North and South to describe the parties in conflict. There is an insurrectionary party confined to a restricted region, while the loyal people embrace not only Northern States but also Eastern, Middle, Western, and Southern States. In reply to Drouyn de l'Huys's citation of the conferences that preceded the peace between the Colonies and Great Britain, he says that action in the crisis of a nation must accord with its necessities: "Great Britain, when entering on negotiations, had manifestly come to entertain doubts of her ultimate success, and it is certain that the councils of

the Colonies could not fail to take new courage, if not to gain other advantages, when the parent state compromised so far as to treat of peace on the terms of conceding their independence.

"It is true, indeed, that peace must come at some time, and that conferences must attend, if they are not allowed to precede, the pacification. There is, however, a better form for such conferences than the one which M. Drouyn de l'Huys suggests. The latter would be palpably in derogation of the Constitution of the United States, and would carry no weight because destitute of the sanction necessary to bind either the disloyal or the loyal portions of the people. On the other hand, the Congress of the United States furnishes a constitutional forum for debates between the alienated parties. Senators and Representatives from the loyal portion of the people are there already, fully empowered to confer; and seats also are vacant, and inviting Senators and Representatives of the discontented party who may be constitutionally sent there from the States involved in the insurrection. Moreover, the conferences which can thus be held in Congress have this great advantage over any that could be organized upon the plan of M. Drouyn de l'Huys, namely, that the Congress, if it were thought wise, could call a National Convention to adopt its recommendations and give them all the solemnity and binding force of organic law. Such conferences between the alienated parties may be said to have already begun. Maryland, Virginia, Kentucky, Tennessee, and Missouri—States which are claimed by the insurgents—are already represented in Congress, and submitting

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with perfect freedom and in a proper spirit their advice upon the course best calculated to bring about, in the shortest time, a firm, lasting, and honorable peace. Representatives have been also sent from Louisiana, and others are understood to be coming from Arkansas.

"There is a preponderating argument," Mr. Seward said, in concluding this unanswerable dispatch, "in favor of the Congressional form of conference over that which is suggested by M. Drouyn de l'Huys, namely, that while an accession to the latter would bring this Government into a concurrence with the insurgents in disregarding and setting aside an important part of the Constitution of the United States, and so would be of pernicious example, the Congressional conference, on the contrary, preserves and gives new strength to that sacred writing which must continue through future ages the sheet-anchor of the republic."

Slidell to Benjamin, July 25, 1862. MS. Confederate Archives.

We find in the manuscript archives of the Confederate Department of State some curious facts which go far to explain the apparently stupid persistence of the Emperor of France in this scheme of mediation. Mr. Slidell gives an account of a long and intimate conversation with the Emperor, held on the 16th of July, 1862, in which the Emperor spoke with great satisfaction of the defeat of McClellan before Richmond, and of Mr. Lincoln's call for additional troops as evidence of his conviction of the desperate character of the struggle in which he was engaged. The Emperor said that although it was unquestionably for the interests of France that the United States should be a powerful and united people to act as a "contrepoids" to

the maritime power of England, yet his sympathies had always been with the South, whose people were struggling for the principle of self-government, of which he was a firm and consistent advocate; that he had always considered the reëstablishment of the Union impossible, and final separation a mere question of time; but the difficulty was to find a way to give effect to his sympathies; that in so grave a question he had not been willing to act without the coöperation of England, which he had not, as yet, been able to secure. He thought England wished him "to draw the chestnuts from the fire." Mr. Slidell, in a strong plea in favor of the recognition of the Confederacy by France, said that it would be the safest and most efficacious means of establishing the independence of the South. He played, with great skill, upon the Emperor's special weaknesses, assuring him that England would follow wherever he led; that the United States had no naval power which could stand for a moment against his iron-clad ships; that the safety of Maximilian[1] in Mexico depended upon the triumph of the South; and at length, appealing directly to his cupidity, he offered him a large pecuniary inducement, either to break the blockade or to recognize the Confederacy, at his choice. Mr. Slidell had been authorized by a confidential dispatch from Mr. Benjamin to make this astonishing proposition. With an instinctive conviction that an appeal to the most sordid motives would be more likely to be favorably received at the Tuileries than in Downing street, the Confederate Government ordered Mr. Slidell to

[1] He was not yet Emperor, but already designated for that place by Napoleon III.

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sound the Emperor to ascertain whether he was so bound up by his engagements with England as to be entirely precluded from independent action. "In the exceptional position which we now occupy," said Mr. Benjamin, "struggling for existence against an enemy whose vastly superior resources for obtaining the *matériel* of war place us at great disadvantage, it becomes of primary importance to neglect no means of opening our ports." "It is well understood," he went on to say, "that there exists, at present, a temporary embarrassment in the finances of France, which might have the effect of deterring that Government from initiating a policy likely to superinduce the necessity for naval expeditions. If under these circumstances you should, after cautious inquiry, be able to satisfy yourself that the grant of a subsidy for defraying the expenses of such expeditions would suffice for removing any obstacles to an arrangement, or understanding, with the Emperor, you are at liberty to enter into engagements to that effect. In such event the agreement would take the form most advantageous to this country, by a stipulation to deliver on this side a certain number of bales of cotton to be received by the merchant vessels of France at certain designated points. In this manner one hundred thousand bales of cotton of 500 pounds each, costing this Government but $4,500,000, would represent a grant to France of not less than $12,500,000 or 63,000,000 francs. Such sum would maintain afloat a considerable fleet for a length of time quite sufficient to open the Atlantic and Gulf ports to the commerce of France." He authorized Slidell further to couple with this proposition for a

Benjamin to Slidell, April 12, 1862. MS. Confederate Archives.

direct subsidy, the free importation of goods to be brought into the Confederacy by the vessels which were to take the cotton to Europe. He estimated that the profits of these cargoes and the proceeds of the cotton altogether would scarcely fall short of 100,000,000 francs. Excited by the contemplation of these ciphers almost to the point of intoxication, Judah P. Benjamin proceeds: "On this basis you will readily perceive the extent to which the finances of France might find immediate and permanent relief, if the subsidy were doubled; and the enormous advantage which would accrue to that Government if, by thus opening one or more of the Southern ports to its own commerce, the interchange of commodities should absorb half a million or a million of bales."[1] CHAP. IV. 1862.

This proposition Mr. Slidell says the Emperor received in a manner which showed that it was not disagreeable to him. He asked some questions as to how the cotton was to be obtained, to which Mr. Slidell, of course, replied that his Majesty could manage that with his fleet. Mr. Benjamin had expressly authorized Mr. Slidell to use, in his discretion, the same means to procure the recognition of the Confederacy which he was empowered to use to induce France to raise the blockade. It is hardly to be doubted that the representations of the Confederate envoy had more or less effect on the mind of the Emperor in bringing about the decision to

[1] In this same dispatch Mr. Benjamin informed Mr. Slidell of the deposit of a large sum of money with Fraser, Trenholm & Co., of Liverpool, for the secret service of the Confederacy in Europe; and added in a postscript that Mr. E. DeLeon had been sent to Europe with $25,000 to be used by him for the special purpose of obtaining the insertion, in the newspapers of Great Britain and the Continent, of articles favorable to the Confederacy.

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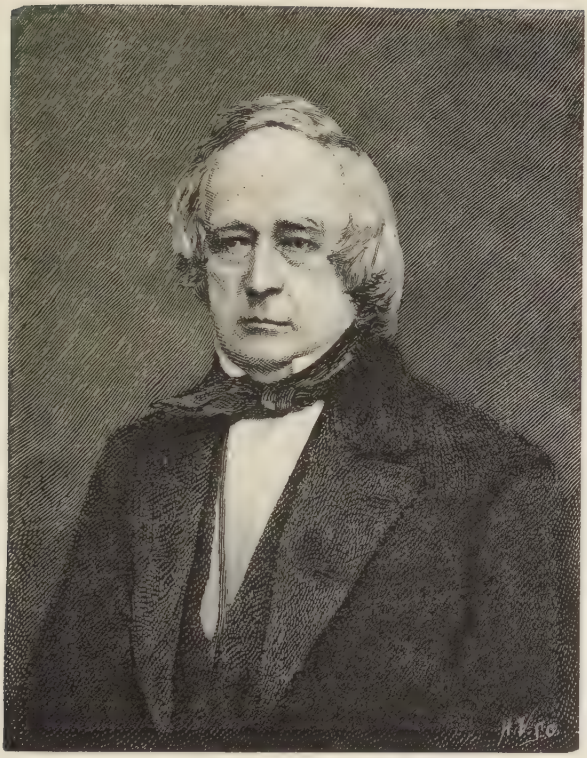
Slidell to Benjamin, Oct. 28, 1862. MS. Confederate Archives.

which he came in the autumn, of attempting to organize his joint overture for peace to the United States. Mr. Slidell had another long and important conversation with the Emperor on the 28th of October. The interview was marked with the same expression of mutual sympathy as the preceding one. Mr. Slidell was confident of early and important Confederate victories, of disaffection and counter-revolution in the North. The Emperor again had no scruple in declaring that his sympathies were entirely with the South; but that he was obliged to act with great caution, and intimated that if he acted alone, England, instead of following his example, would endeavor to embroil him with the United States and that French commerce would thus be destroyed. Mr. Slidell tried to convince him that recognition on his part would be absolutely safe; that the American navy would be swept from the ocean and the Northern ports blockaded by a moiety of the French marine; that the *Gloire* or the *Normandie* could enter the harbors of New York or Boston and lay these cities under contribution; that "mad and stupid as the Washington Government had shown itself to be, it still had sense enough not to seek a quarrel with the first power of the world."

The Emperor then asked Mr. Slidell what he thought of a joint mediation from France, England, and Russia; whether it would, if proposed, be accepted by the two parties. Mr. Slidell told him that the North would probably accept it, but could not venture to say how it would be received at Richmond. Mr. Slidell intimating his belief that England would not join in such



JOHN SLIDELL.

an overture, the Emperor said "he had reason to suppose the contrary; that he had a letter from the King of the Belgians which he would show me. He did so; it was an autograph letter from King Leopold to the Emperor, dated Brussels, 15th October. The date is important, as Queen Victoria was then at Brussels. The King urges in the warmest manner, for the cause of humanity and in the interests of the suffering populations of Europe, that prompt and strenuous efforts should be made by France, England, and Russia to put an end to the bloody war that now desolates America. He expresses his perfect conviction that all attempts to reconstruct the Union of the United States are hopeless; that final separation is an accomplished fact; and that it is the duty of the great powers so to treat it; that recognition, or any other course that might be thought best calculated to bring about a peace, should be at once adopted. The appeal is made with great earnestness to the Emperor to bring the whole weight of his great name and authority to bear on the most important question of his day. It is universally believed that King Leopold's counsels have more influence with Queen Victoria than those of any living man; that in this respect he has inherited the succession of the late Prince Consort."

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Whether it be that this interview fixed the wandering mind of the Emperor, or whether he was amusing himself by getting the opinion of Mr. Slidell in relation to a matter already determined, it is at all events noteworthy that his proposition to the courts of England and Russia for mediation in the affairs of the United

CHAP. IV. 1862. States was dated on the 30th of October, two days after this conversation. It was in this same interview that the Emperor proposed that Mr. Slidell should build ships for the Confederate navy in France, and Mr. Slidell in turn offered the Emperor, on behalf of the Confederacy, all possible assistance in Mexico and the West Indies; he might take as many islands and provinces as he liked — a modified Temptation of the Mountain. It is the common lot of traitors to suffer from treachery; yet both parties to this interview doubtless felt afterwards that they had reason to complain of the way they were treated, and Mr. Slidell, when the Emperor repudiated his professions made in this interview, probably felt no keener pang of confidence betrayed than did the Emperor himself when, in spite of the assurances of his royal brother of Belgium, the courts of England and Russia flatly refused to join in his mission of mediation, and in spite of the opinion of his Louisiana friend, that the North was really anxious for foreign intervention, he received from Mr. Lincoln a rebuff as galling as it was courteous and dignified.

This ended the discussion of the mediation of foreign powers in our affairs as between our Government and those of European states. There was in fact no common ground between them. The Cabinets of the Old World approached the subject with the conviction that the restoration of the national authority was impossible — a hypothesis which Mr. Lincoln and Mr. Seward never permitted for a moment to find entrance in their hearts or their minds. It was alike repugnant to their feelings and their reason, and the course of

events gave a full justification to their courage and their wisdom.

It is, after all, not greatly to be wondered at that European courts should have been deceived in regard to the attitude of the Government of the United States and the prospect of its success in the contest with rebellion. The French Minister in Washington, M. Mercier, a diplomatist of ability and experience, was personally so devoted an adherent of Napoleon III. that his only point of view of public matters was in reference to their effect upon the fortunes or the plans of the Emperor. He was not unaware that the complete triumph of the national arms was regarded in Paris as a contingency grossly improbable, and also — if it could be accomplished — unfavorable to the perpetuity of a Latin Empire on this continent. His sympathies, and with them his beliefs, were therefore wholly on the side of the South. His intimate associations in this country were either with secessionists or with the most pronounced members of the opposition, whose sentiments were hardly to be distinguished from those of the insurgents. He naturally reported what he heard, and what he believed, and what he thought would be agreeable to the Emperor, and it would have been strange indeed if the latter had not been misled. An incident which happened in the latter part of 1862 had a tendency to confirm his impression that the National Government was losing its confidence and its firmness, and that the Republican party was not so united in its support as appeared on the surface. Horace Greeley, personally and by letter, approached him with a suggestion that he

CHAP. IV. should secure the mediation of the French Government to put an end to the war. M. Mercier, having no personal acquaintance with Mr. Greeley, knew nothing of those peculiarities of caprice and impulse which formed the special weakness of that remarkable character; he saw in him only the most prominent and most powerful of American journalists, and took it for granted that he represented in his anxiety for peace, if not the Administration itself, at least the Republican party of New York. He communicated the letter to his colleagues as a matter of grave importance, symptomatic of the weakness of the radical war party of the North.[1] He was greatly surprised by the severe admonition which he received from Mr. Seward for his share in the affair, and doubtless thought that the journalist more honestly represented the prevailing opinion than the premier. He made a journey to Richmond by the order of his Government, and he gave so warm a coloring to the permission accorded to his journey by the Federal Government in his report of the transaction that Mr. Seward thought proper to say in a letter to the Senate that he had never given a foreign minister, or anybody else, authority to make representations of any sort to the rebel Government.

A letter written by Lord Lyons, the British Minister, to his Government, in the autumn of 1862, shows how hostile to the Administration of Mr. Lincoln was the tone of feeling in the diplomatic

[1] Seward said Mercier read Greeley's letter to Stoeckl, the Russian Minister, and when he came to the concluding paragraph, which was a protest that he could not favor any mediation which should hazard the Union, he said, "That 's all bosh, of course."— Diary of H. J. Raymond, "Scribner's Monthly."

body at that time, and how persistently European Cabinets were misinformed by their representatives in Washington in reference to the situation and prospect of affairs in the United States. On his arrival in New York after a visit to England, he had been met and at once taken possession of by the leaders of the peace party, who were also, at that time, among the leaders in fashionable society in New York. He apparently adopts their point of view in some respects, but sees the folly, and doubts the sincerity, of their pretenses that an armistice, which they ardently desire, would result in a restoration of the Union. "The more sagacious members of the party," he says, "must look upon the proposal of a Convention merely as a last experiment to test the possibility of reunion. They are no doubt well aware that the most probable consequences of an armistice would be the establishment of Southern independence, but they perceive that if the South is so utterly alienated that no possible concession will induce it to return voluntarily to the Union, it is wiser to agree to separation than to prosecute a cruel and hopeless war."

Singularly enough, Lord Lyons's conferences with the opposition in New York, whose advice was given in a sense hostile to the Government and to the prosecution of the war, resulted in a report unfavorable to the project of mediation which was being so earnestly pressed by the enemies of the national cause in Paris. He quoted the conservative leaders as saying that "an offer of mediation, if made to the radical Administration, would be rejected, and that it might increase the virulence with which the war was prosecuted. If

CHAP. IV. their own party were in power, or virtually controlled the Administration, they would rather, if possible, obtain an armistice without the aid of foreign governments"; they were especially timid about the political effect of an offer of mediation which should come from Great Britain. Lord Lyons therefore advised against such an offer on the ground that "it might embarrass the peace party," and thus oblige them, in order to maintain their popularity, to make some declaration against it. It is not the least significant feature of this curious letter that Lord Lyons said, "At Washington I have had fewer opportunities than I had at New York of ascertaining the present views of the chiefs of political parties." At the interviews he had on arriving with Mr. Seward and the President, they both conversed only on ordinary topics, and "did not appear to expect or to desire from him any special communications from her Majesty's Government." He missed in the responsible rulers of the nation, and in the executive and legislative functionaries in whose hands rested the welfare of the country, that open and effusive freedom of communication which he found among the sympathizers with secession in the drawing-rooms of New York. In advising his Government against an offer of mediation he repeated and adopted as his own the opinion he gained among the conservatives of New York, that "the President had thrown himself into the arms of the extreme Radical party." His statement of the aims of that party was not altogether inaccurate: "They declare that there is no hope of reconciliation with the Southern people; that the war must be pursued *per fas et nefas* until the dis-

loyal men of the South are ruined and subjugated, if not exterminated; that not an inch of the old territory of the republic must be given up, and that foreign intervention in any shape must be rejected and resented." Lord Lyons had no right to say that there was no hope of reconciliation with the Southern people; it was the Southern leaders of the rebellion alone who were regarded by Mr. Lincoln as irreconcilable; and it was a gratuitous insult to the Government to which he was accredited to say they were determined to pursue the war *per fas et nefas;* his imputation to the President of revengeful purposes towards the disloyal is false and unjustifiable. With these exceptions his statement may pass as sufficiently expressing the intention of the Government to save the Union intact and to continue the war to the triumph of the national cause. Lord Lyons indicates that he has no faith whatever in such an issue of the conflict.

If he was wrong in his opinion, he was also inexcusably wrong in the assumed facts on which it was based; for he informs his Government that on the 4th of next March the Democrats will obtain control of the new House of Representatives; that the new Congress will be hostile to the Administration and to the Radical party, and that the President will hardly be able to persist in his present policy, and in his assumption of extraordinary powers. Ten minutes' perusal of a newspaper containing a list of Congressmen-elect would have enabled him to avoid so flagrant an error. But any lesser lapses seem pardonable in comparison with the stupendous error of a Minister charged with the most solemn responsibilities between two

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great and friendly powers, and possessed of unlimited facilities for ascertaining the truth, saying, as Lord Lyons says near the close of his letter, "all hope of the reconstruction of the Union appears to be fading away, even from the minds of those who most desire it."

From the beginning of the war, the Executive Department of the Government had in a thousand ways continually repeated its determination to listen to no overtures from the insurgents not based upon a recognition of the national authority, and no overtures from foreign powers of any nature whatever having reference to the rebellion; and just before the session ended it was thought by Congress proper that the Legislative body should express itself on the same subject with equal clearness. Resolutions were introduced and passed through both Houses of Congress by very large majorities, acknowledging the friendly form and intention of the overtures made by foreign powers in the direction of mediation, and saying that if the idea of mediation should continue to be regarded as practicable it might lead to proceedings tending to embarrass the friendly relations between the United States and foreign powers, and that to remove for the future all chance of misunderstanding on the subject it seems fit that Congress should declare its convictions thereon. The resolutions following this preamble were at once a declaration of the attitude of the United States and a formal warning to all foreign powers that their intervention was not desired and would not be entertained. They express the deep regret of the American people that the blow aimed by the rebel-

March 3, 1863.

In the Senate 31 to 5. In the House 103 to 28.

lion at the national life has fallen so heavily upon the laboring population of Europe, but that any proposition from any foreign power having for its object the arrest of the efforts of the United States to suppress the rebellion is calculated to prolong and embitter the conflict, to cause increased expenditure of blood and treasure, and to postpone the much-desired day of peace, and that Congress would look upon any further attempt in the same direction as an unfriendly act. The resolutions further expressed the disappointment of Congress at the hospitality and encouragement which a rebellious Government, founded upon slavery as its corner-stone, had received from foreign powers, and they closed with the announcement that the war would be vigorously prosecuted according to the humane principles of Christian states until the rebellion should be suppressed. The President was requested to transmit a copy of these resolutions to the Ministers of the United States in foreign countries, to be by them communicated to the governments to which they were accredited.

"Globe," March 3, 1863, pp. 1497, 1541

CHAPTER V

SIGNS OF THE TIMES

CHAP. V.

BEFORE enough time had elapsed to judge of the probable effect of Lincoln's offer of compensation to the border States, a new incident occurred which further complicated the President's dealings with the slavery question. About the middle of May he was surprised to learn from the newspapers that General David Hunter, whom he had recently sent to command the Department of the South, had issued an order of military emancipation. Reciting that the Department of the South was under martial law, the order declared, "Slavery and martial law in a free country are altogether incompatible. The persons in these three States — Georgia, Florida, and South Carolina — heretofore held as slaves are therefore declared forever free."

1862.

Hunter, Order, May 9, 1862. W. R. Vol. XIV., p. 341.

So far as can be judged, General Hunter was moved to this step by what seemed to him the requirements of his new surroundings and the simple dictates of natural justice.[1] He was a warm personal and political friend of President Lincoln,

[1] In a brief "Report of Military Services," made by General Hunter to the War Department in 1873, he says on this point: "My theory being that slavery, existing only by municipal enactments, ceased to exist the moment a subject by his rebellion placed himself beyond the pale of these enactments."

was entirely free from motives of selfish ambition, and was not a man who would suffer himself to be made the instrument of a political combination. Of strong antislavery convictions, his sense of duty in the service of the Union was as single-hearted and as sacred as that of a Crusader sent to rescue the Holy Sepulcher from the Infidel. In his eyes rebellion and slavery were intertwined abominations to be struck and conquered simultaneously. When he took command of the Department of the South he found himself surrounded by new conditions. The capture of Port Royal in the preceding November had been followed by the flight of the whole white population, leaving the entire coast from North Edisto River to Warsaw Sound, a distance of sixty or seventy miles, in the hands of the captors. This was the region of the famous sea island cotton plantations, in which the slaves outnumbered the whites nearly five to one. In their sudden flight the whites were compelled to abandon their slaves, and a large negro population thus fell gradually to the care and protection of the Union army.

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March 31, 1862.

The exercise of common humanity forced the military administration of the department beyond mere warlike objects. The commander, General Thomas W. Sherman, issued an address to the white inhabitants, inviting them to return and reoccupy their lands and homes, and continue their peaceful vocations under the auspices and protection of the Government of the United States. Except in a very few instances the friendly invitation was defiantly refused. They not only preferred ruin and exile, but did such mischief as lay in their

Nov. 7, 1861.

W. R. Vol. VI., pp. 200, 222.

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power by ordering their cotton to be burned and circulating among the blacks the statement that the Yankees would seize them, and sell them into slavery in Cuba. Such was the distrust excited by the falsehood, that a month after the capture of Port Royal but about 320 blacks had ventured into Sherman's camps; nearly all these were decrepit, or were women and children, there being only sixty able-bodied men among them.

T. W. Sherman to Thomas, Dec. 15, 1861. W. R. Vol. VI., p. 205.

For a while the slaves made the most of their abrupt holiday. But their scanty clothing wore out; the small stock of provisions on the plantations became exhausted. At the time of their masters' flight much of the cotton crop was still in the fields. In the increasing demand for this product it became an object for the Government to collect and preserve what was left; and this work, begun under the joint orders of the War and Treasury Departments, set on foot the first organization of the colored population for labor and government. Military orders divided the country into districts, with agents to superintend the plantations, to enroll and organize the blacks into working parties, to furnish them necessary food and clothing, and to pay them for their labor. Private philanthropy also gave timely and valuable assistance. Relief societies, organized in Boston, New York, and Philadelphia, collected funds and employed teachers, some fifty of whom reached Beaufort the 9th of March, 1862, and began a much-needed work of combined encouragement, guardianship, and instruction, thus replacing the elements of social government which the slaves had lost by the withdrawal of their masters and mistresses.

The control of the captured and abandoned cotton and other property fell to the Treasury Department, and in this connection Secretary Chase, at the President's request, gave the educational enterprise his official sanction and supervision; later on, the War Department assumed and continued the work. Compelled from the first to rely upon "contrabands" for information and assistance, and to a large extent for military labor, it gave them in return not only wages for the actual service performed, but necessary food and shelter for the destitute, and with the return of the spring season furnished them, so far as possible, seed and implements of husbandry, and encouraged them to renew their accustomed labor in the gardens and fields of the abandoned plantations, in order to provide for, or at least contribute to, their own maintenance. Under this treatment confidence was quickly established. Meanwhile, by the military occupation of additional territory, the number of blacks within the Union lines had increased in two months from 320 to over 9000.

T. W. Sherman to Adjutant-General, Dec. 15, 1861, and Feb. 9, 1862. W. R. Vol. VI., pp. 205, 222, 223.

When General Hunter took command of the Department of the South, this industrial and educational organization of the blacks was just beginning. Military usefulness was of the first importance in his eyes, particularly as his forces were insufficient for offensive movements. It was not unnatural that, seeing the large colored population within his lines, much of it unemployed, his thoughts should turn to the idea of organizing, arming, and training regiments of colored soldiers; and, assuming that the instructions of the War Department conferred the necessary authority, he

March 31, 1862.

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began the experiment without delay. It was amid all these conditions, which at that time did not exist elsewhere, that General Hunter issued the already recited order announcing that slavery and martial law were incompatible, and declaring free all slaves in his department. The presence of the Union army had visibly created a new order of things, and he doubtless felt it a duty to proclaim officially what practically had come to pass.

The mails from the Department of the South could only come by sea; hence a week elapsed after the promulgation of Hunter's order before knowledge of it came to the President through its publication in the New York journals. The usual acrimonious comments immediately followed: radicals approved it, Democrats and conservatives denounced it; and the President was assailed for inaction on the one hand and for treachery on the other. Lincoln's own judgment of the act was definite and prompt. "No commanding general shall do such a thing, upon *my* responsibility, without consulting me," he wrote in answer to a note from Chase, who wished the order to stand.

Warden, "Life of Salmon P. Chase," p. 434.

Three days later (May 19, 1862) the President published a proclamation reciting that the Government had no knowledge or part in the issuing of Hunter's order of emancipation, that neither Hunter nor any other person had been authorized to declare free the slaves of any State, and that his order in that respect was altogether void. The President continued: "I further make it known that whether it be competent for me, as Commander-in-Chief of the Army and Navy, to declare the slaves of any State or States free, and whether at

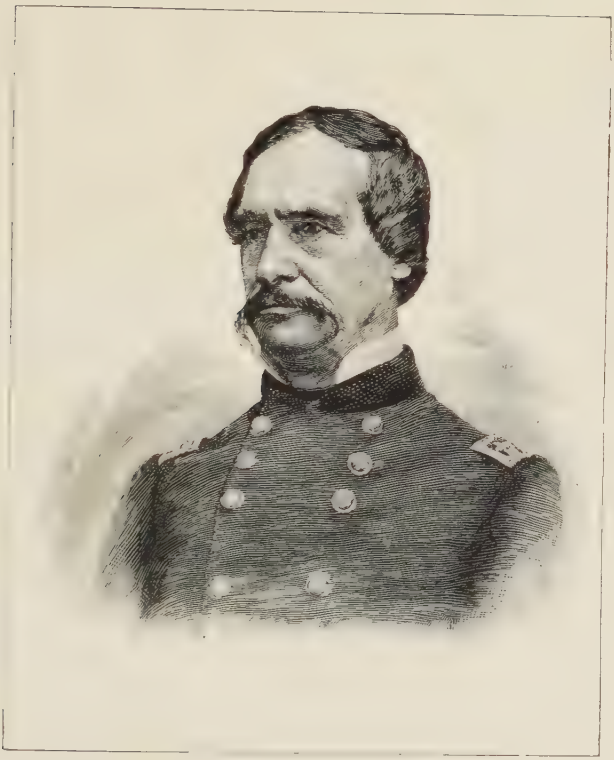
any time, in any case it shall have become a necessity indispensable to the maintenance of the Government to exercise such a supposed power, are questions which, under my responsibility, I reserve to myself, and which I cannot feel justified in leaving to the decision of commanders in the field. These are totally different questions from those of police regulations in the armies and camps." CHAP. V.

While the President thus drew a sharp distinction between the limited authority of commanders in the field and the full reservoir of executive powers in his own hands, for future contingencies, he utilized the occasion for a forcible admonition 1862. to the border slave States. Reminding them that he by recommendation, and Congress by joint resolution, had made them a formal tender and pledge of payment for their slaves if they would voluntarily abolish the institution, he counseled them in words of parental wisdom and affection not to neglect this opportunity of financial security for themselves and patriotic benefit to their country. He said: "To the people of those States I now earnestly appeal. I do not argue; I beseech you to make the arguments for yourselves. You cannot, if you would, be blind to the signs of the times. I beg of you a calm and enlarged consideration of them, ranging, if it may be, far above personal and partisan politics. This proposal makes common cause for a common object, casting no reproaches upon any. It acts not the Pharisee. The change it contemplates would come gently as the dews of heaven — not rending or wrecking anything. Will you not embrace it? So much good has not been done by one effort in all past time, as,

CHAP. V. Lincoln, Proclamation, May 19, 1862.

in the providence of God, it is now your high privilege to do. May the vast future not have to lament that you have neglected it."

The "signs of the times" were indeed multiplying to a degree that ought to have attracted the notice of the border States, even without the pointing finger of the President. How far the presence of the Confederate armies, embodying a compact proslavery sentiment, had up to that time interfered locally with the relations of master and slave we have no means of knowing; we do know that before the end of the rebellion the conditions of war — military necessity — brought even the rebel Government and the unconquered slave communities to the verge of emancipation and the general military employment of the blacks. But Northern armies, embodying a compact antislavery sentiment, stationed or moving in slave communities, acted on the "institution" as a disturbing, relaxing, and disintegrating force, constant in operation, which no vigilance could shut out and no regulations could remedy. Whether in Kentucky or Virginia, Missouri or Mississippi, the slave gave the Union soldiers his sympathy and his help; while for services rendered, and still more for services expected, the soldiers returned friendship and protection, finding no end of pretexts to evade any general orders to the contrary. From the army this feeling communicated itself sometimes directly to Congress, sometimes to the soldier's Northern home, from which it was in turn reflected upon that body. The antislavery feeling at the North, excited by the ten-years' political contention, intensified by the outbreak of rebellion, was



GENERAL DAVID HUNTER.

thus fed and stimulated, and grew with every day's duration of the war. Conservative opinion could not defend a system that had wrought the convulsion and disaster through which the nation was struggling. Radical opinion lost no opportunity to denounce it and attack its vulnerable points.

Of the operations of this sentiment the debates and enactments of Congress afford an approximate measure. During the long session from December 2, 1861, to July 17, 1862, the subject seemed to touch every topic at some point, while the affirmative propositions of which slavery was the central and vital object were of themselves sufficiently numerous to absorb a large share of the discussions. Leaving out of view the many resolutions and bills which received only passing attention, or which were at once rejected, this second session[1] of the Thirty-seventh Congress perfected and enacted a series of antislavery measures which amounted to a complete reversal of the policy of the General Government. At the date of the President's proclamation quoted above calling attention to the "signs of the times," only a portion of these measures had reached final enactment; but the drift and portent of their coming was unmistakable. In the restricted limits of these pages it is impossible to pass them in review separately or chronologically; nor does the date of their passage and approval always indicate the relation in which they engrossed the attention of Congress. The consideration of the general subject was, we may almost

[1] The first session of the Thirty-seventh Congress was the special session convened by President Lincoln's Proclamation, and which met on July 4, and adjourned on August 6, 1861.

CHAP. V. 1862. say, continuous, and the reader will obtain a better idea of their cumulative force and value from a generalized abstract, showing the importance and scope of the several acts and sections as related to each other.

First. One of the earliest forms of the discussion arose upon the constantly recurring question of returning to slave-owners such runaways as sought the protection of the Union camps, and regarding which various commanders had issued such different and contradictory orders. It has been stated that the President left his officers full discretion on this point, because it fell within the necessities of camp and police regulations. The somewhat harsh and arbitrary Order No. 3, issued by General Halleck in Missouri, provoked wide-spread comment and indignation; and though the General insisted that the spirit of the order was purely military and not political, it undoubtedly hastened and intensified Congressional action. By an act approved March 13, 1862, a new article of war was added to the army regulations, which enjoined, under usual penalties, that "All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped," etc. Later, Section 10 of the Confiscation Act was virtually an amendment of the fugitive-slave law; providing that the claimant might not use its authority until he had taken an oath of allegiance, and prohibiting any person in the army or navy from surrendering a fugitive slave, or presuming to decide the validity of the owner's claim.

Approved July 17, 1862.

Second. No less to fulfil the dictates of propriety and justice than for its salutary influence on the opinion of foreign nations, the annual message of the President had recommended a recognition of the independence and sovereignty of Hayti and Liberia, and the appointment of diplomatic representatives to those new States. This was duly authorized by an act approved June 5, 1862. Similar reasons also secured the passage of "An act to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade," approved July 11, 1862. That this action betokened more than mere hollow profession and sentiment is evinced by the fact that under the prosecution of the Government, the slave-trader Nathaniel P. Gordon was convicted and hanged in New York on the 21st of February, 1862, this being the first execution for such crime under the laws of the United States, after their enforcement had been neglected and their extreme penalty defied for forty years.

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1862.

Third. The next marked feature of Congressional antislavery enactment was one which, in a period of peace, would have signalized the culmination of a great party triumph and taken its place as a distinctive political landmark. Now, however, in the clash and turmoil of war it was disposed of, not so much in the light of party conquest, as the simple necessary registration of accomplished facts, wrought beyond recall by passing events, recognized by public opinion, and requiring only the formality of parliamentary attestation. Its title was, "An act to secure freedom to all persons within the Territories of the United States," ap-

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proved June 19, 1862. This was the realization of the purpose which had called the Republican party into being, namely, the restoration of the Missouri Compromise, its extension and application to all Territories of the United States, and, as a logical result, the rejection and condemnation of the pro-slavery doctrines of the Dred Scott decision, the demand for a Congressional slave code, and the subversive "property theory" of Jefferson Davis. These were the issues which had caused the six-years' political contention between the North and the South; and upon its defeat at the ballot-box, by the election of President Lincoln, the South had appealed to the sword.

Fourth. Still advancing another step in the prevalent antislavery progress, we come to the policy of compensated emancipation so strenuously urged by the President. Action on this point has already been described, namely, the joint resolution of Congress, approved April 10, 1862, virtually pledging the aid of the Government to any State which would adopt it, and the act, approved April 16, 1862, with its amendments, actually abolishing slavery in the District of Columbia, with compensation to owners. The earnestness of Congress in this reform is marked by the additional step that, under acts approved May 21 and July 11, 1862, certain provisions were made for the education of colored children in the cities of Washington and Georgetown, District of Columbia.

Fifth. By far the most important of all the anti-slavery laws of this period, both in scope and purpose, was a new Confiscation Act, perfected after much deliberation, passed at the close of the ses-

sion, and approved by the President July 17, 1862. The act of August 6, 1861, only went to the extent of making free the slaves actually employed in rebel military service. The new law undertook to deal more generally with the subject, and indeed extended its provisions beyond the mere idea of confiscation. While other subjects were included, its spirit and object would have been better expressed by the title of "An act to destroy slavery under the powers of war." In addition to other penalties for treason or rebellion, it declared that slaves of persons guilty and convicted of these crimes should be made free; that slaves of rebels, escaping and taking refuge within the army lines, slaves captured from rebels or deserted by them and coming under the control of the United States Government, and slaves of rebels found in any place occupied by rebel forces and afterwards occupied by the Union army, should all be deemed captives of war and be forever free.

Sixth. Coupled with the foregoing sweeping provisions, intended to destroy title in slave property as a punishment for treason and rebellion, were other provisions, which, under guarded phraseology, looked to the active organized employment of slaves as a substantial military force — which military service should in its turn also, in specified cases, work enfranchisement from bondage. Thus, in certain amendments of the militia laws[1] it was enacted that the President might enroll and em-

[1] "An act to amend the act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," approved February 28, 1795, and the "acts amendatory thereof, and for other purposes," approved July 17, 1862, sections 12 and 13.—Appendix, "Globe," p. 414.

CHAP. V. 1862. ploy contrabands in such camp labor or military service as they were fitted for, and that their wives, mothers, and children, if they belonged to armed rebels, should become free by virtue of such service. Section 11 of the Confiscation Act, however, conferred a still broader authority upon the Government for this object. It provided: "That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare." This section allowed a latitude of construction which permitted the organization of a few of the earliest regiments of colored soldiers.

In tracing the antislavery policy of President Lincoln, his opinions upon some of the prominent features of these laws become of special interest. He followed the discussion and perfecting of the Confiscation Act with careful attention, and as it neared its passage prepared a veto message, pointing out several serious defects, which Congress hastily remedied in anticipation by an explanatory joint resolution. When the bill and resolution were submitted to him he signed both, as being substantially a single act, and, to place himself right upon the record, transmitted with his notice of approval a copy of the draft of his intended veto message. The constitutional objection and the imperfections of detail in the original bill do not require mention here, but his views on emancipation and the military employment of slaves may not be omitted.

There is much in the bill to which I perceive no objection. It is wholly prospective; and touches neither person nor property of any loyal citizen, in which particulars it is just and proper. . . It is also provided that the slaves of persons convicted under these sections shall be free. I think there is an unfortunate form of expression, rather than a substantial objection, in this. It is startling to say that Congress can free a slave within a State, and yet if it were said the ownership of the slave had first been transferred to the nation, and that Congress had then liberated him, the difficulty would at once vanish. And this is the real case. The traitor against the General Government forfeits his slave at least as justly as he does any other property; and he forfeits both to the Government against which he offends. The Government, so far as there can be ownership, thus owns the forfeited slaves, and the question for Congress in regard to them is, "Shall they be made free, or be sold to new masters?" I perceive no objection to Congress deciding in advance that they shall be free. To the high honor of Kentucky, as I am informed, she has been the owner of some slaves by *escheat*, and has sold none, but liberated all. I hope the same is true of some other States. Indeed, I do not believe it would be physically possible for the General Government to return persons so circumstanced to actual slavery. I believe there would be physical resistance to it, which could neither be turned aside by argument nor driven away by force. In this view I have no objection to this feature of the bill. . . The eleventh section simply assumes to confer discretionary powers upon the Executive. Without the law, I have no hesitation to go as far in the direction indicated as I may at any time deem expedient. And I am ready to say now, I think it is proper for our military commanders to employ, as laborers, as many persons of African descent as can be used to advantage.

"Senate Journal," July 17, 1862, pp. 872, 873.

The number and variety of antislavery provisions cited above show how vulnerable was the peculiar institution in a state of war, and demonstrate again the folly of the slaveholders' appeal

CHAP. V. to arms. All the penalties therein prescribed were clearly justifiable by the war powers of the nation and sustained by military necessity. So far the laws had not touched a single right of a loyal slaveholder in a slave State, either within or without the territory held by Confederate arms; but day by day it became manifest that the whole slave system was so ramified and intertwined with political and social conditions in slave States, both loyal and disloyal, that it must eventually stand or fall in mass. In short, the proof was more absolute in war than in peace that slavery was purely the creature of positive law in theory, and of universal police regulations unremittingly enforced in practice.

It must not be supposed that the discussion and enactment of these measures proceeded without decided opposition. The three factions of which Congress was composed maintained the same relative position on these topics that they had occupied since the beginning of the Rebellion. The bulk of the resistance was furnished by the Democratic members, who, while as a rule they condemned the Rebellion, reiterated their previous accusations that the Republican party had provoked it. Now again at every antislavery proposition, no matter how necessary or justifiable, they charged that it was a violation of express or implied political faith, and a stumbling-block to reconciliation, which, against the plainest evidences, they assumed to be still possible. In a hopeless minority, and with no chance to affect legislation affirmatively even by indirection, they yet maintained the attitude of an ill-natured opposition, yielding assent only to the

most necessary war measures, while, with sophistical and irritating criticism, they were industriously undermining public confidence in the President and his adherents by every party and parliamentary device they could invent.

There is little doubt that this action of the Democrats in Congress, in addition to its other pernicious effects, served to render the border-State delegations more stubborn and intractable against making any concessions towards the liberal and reformatory policy which President Lincoln so strongly urged. The statesmen and politicians of the border slave States were quick enough to perceive the danger to their whole slave system, but not resolute enough to prepare to meet and endure its removal, and accept a money equivalent in exchange. Against evidence and conviction, they clung tenaciously to the idea that the war ought to be prosecuted without damage to slavery; and their Representatives and Senators in Congress, with a very few brave exceptions, resisted from first to last all antislavery enactments. We may admit that in this course they represented truly the majority feeling and will of their several constituencies; but such an admission is fatal to any claim on their part to political foresight or leadership. Indeed, one of the noticeable and lamentable features of the earlier stages of the Rebellion was the sudden loss of power among border-State leaders, both at home and in Congress. We can now see that their weakness resulted unavoidably from their defensive position. During the secession stage they only ventured to act defensively against that initial heresy, and as a rule the offensive and un-

CHAP. V. scrupulous conspirators kept the advantage of an aggressive initiative. Now, in the new stage of antislavery reaction, they were again merely on the defensive and under the disadvantage which that attitude always brings with it. In Congress, as a faction, they were sadly diminished in numbers and shorn of personal prestige. They could count only a single conspicuous representative—the venerable John J. Crittenden; but burdened with the weight of years, and hedged by the tangles and pitfalls of his conservative obligations, he was timid, spiritless, despondent. The record of the border-State delegations, therefore, during this strong antislavery movement of Congressional enactment is simply one of protests, excuses, appeals, and direful prophecies.

Against them the positive affirmative progress of antislavery sentiment gathered force and volume from every quarter. Whatever the momentary or individual outcry, it was easy to perceive that every antislavery speech, resolution, vote, or law received quick sustaining acceptance from public sentiment in the North and from the fighting Union armies in the South. The Republican majority in Congress noted and responded to these symptoms of approval, and the radical leaders in that body were constantly prompted by them to more advanced demands and votes. Antislavery opinion in Congress not only had the advantage of overpowering numbers, but also of conspicuous ability. A high average talent marked the Republican membership, which, as a rule, spoke and voted for the beforementioned antislavery measures; while among those whose zeal gave them especial prominence in

these debates, the names of Charles Sumner in the Senate and of Thaddeus Stevens and Owen Lovejoy in the House need only be mentioned to show what high qualities of zeal and talent pursued the peculiar institution with unrelenting warfare.

To the rebellious South, to the loyal population of the border slave States, and to the extreme conservatism of the North, particularly that faction represented by Democratic Members of Congress, President Lincoln's proposal of gradual compensated abolishment doubtless seemed a remarkable if not a dangerous innovation upon the practical politics of half a century. But this conservatism failed to comprehend the mighty sweep and power of the revolution of opinion which slavery had put in motion by its needless appeal to arms. In point of fact, the President stood sagaciously midway between headlong reform and blind reaction. His steady, cautious direction and control of the average public sentiment of the country alike held back rash experiment and spurred lagging opinion. Congress, with a strong Republican majority in both branches, was stirred by hot debate on the new issues. The indirect influence of the Executive was much greater than in times of peace; a reckless President could have done infinite dam age to the delicate structure of constitutional gov ernment. As it was, antislavery resentment was restrained and confined to such changes of legislation as were plainly necessary to vindicate the Constitution, laws, and traditions which the Rebellion had wantonly violated; but these were sufficiently numerous and pointed to mark a profound transformation of public policy in little more

March 6, 1862.

CHAP. V. than a year. Under the occasion and spur which the Rebellion furnished, a twelvemonth wrought that which had not been dreamed of in a decade, or which would otherwise have been scarcely possible to achieve in a century.

Four months had now elapsed since President Lincoln proposed and Congress sanctioned the policy of compensated emancipation in the border slave States. Except in its indirect influence upon public opinion, no definite result had as yet attended the proposal. Great fluctuations had occurred in the war, and great strides had been made in legislation; but the tendency so far had been rather to complicate than simplify the political situation, to exasperate rather than appease contending factions and conflicting opinions. This condition of things, while it might have endured for awhile, could not prolong itself indefinitely. Little by little the war was draining the lifeblood of the republic. However effectually the smoke and dust of the conflict might shut the view from the general eye, or however flippantly small politicians might hide the question under the heat and invective of factional quarrel, President Lincoln, looking to the future, saw that, to replenish the waste of armies and maintain a compact popular support, the North must be united in a sentiment and policy affording a plain, practical aim and solution, both political and military. The policy he decided upon was not yet ripe for announcement, but the time had arrived to prepare the way for its avowal and acceptance. As the next proper step in such a preparation, the President, on the 12th of July, 1862, again convened the border-State delega-

tions at the Executive Mansion, and read to them the following carefully prepared second appeal to accept compensation for slaves in their respective States:

July 12, 1862.

GENTLEMEN: After the adjournment of Congress, now very near, I shall have no opportunity of seeing you for several months. Believing that you of the border States hold more power for good than any other equal number of members, I feel it a duty which I cannot justifiably waive to make this appeal to you. I intend no reproach or complaint when I assure you that, in my opinion, if you all had voted for the resolution in the gradual-emancipation message of last March, the war would now be substantially ended. And the plan therein proposed is yet one of the most potent and swift means of ending it. Let the States which are in rebellion see definitely and certainly that in no event will the States you represent ever join their proposed confederacy, and they cannot much longer maintain the contest. But you cannot divest them of their hope to ultimately have you with them so long as you show a determination to perpetuate the institution within your own States. Beat them at elections, as you have overwhelmingly done, and, nothing daunted, they still claim you as their own. You and I know what the lever of their power is. Break that lever before their faces, and they can shake you no more forever. Most of you have treated me with kindness and consideration, and I trust you will not now think I improperly touch what is exclusively your own, when, for the sake of the whole country, I ask, can you, for your States, do better than to take the course I urge? Discarding punctilio and maxims adapted to more manageable times, and looking only to the unprecedentedly stern facts of our case, can you do better in any possible event? You prefer that the constitutional relation of the States to the nation shall be practically restored without disturbance of the institution; and if this were done, my whole duty in this respect, under the Constitution and my oath of office, would be performed. But it is not done, and we are trying to accomplish it by war. The in-

CHAP. V. 1862. cidents of the war cannot be avoided. If the war continues long, as it must if the object be not sooner attained, the institution in your States will be extinguished by mere friction and abrasion — by the mere incidents of the war. It will be gone, and you will have nothing valuable in lieu of it. Much of its value is gone already. How much better for you and for your people to take the step which at once shortens the war, and secures substantial compensation for that which is sure to be wholly lost in any other event. How much better to thus save the money which else we sink forever in the war. How much better to do it while we can, lest the war ere long render us pecuniarily unable to do it. How much better for you as seller, and the nation as buyer, to sell out and buy out that without which the war could never have been, than to sink both the thing to be sold and the price of it in cutting one another's throats. I do not speak of emancipation at once, but of a decision at once to emancipate gradually. Room in South America for colonization can be obtained cheaply and in abundance, and when numbers shall be large enough to be company and encouragement for one another, the freed people will not be so reluctant to go.

I am pressed with a difficulty not yet mentioned — one which threatens division among those who, united, are none too strong. An instance of it is known to you. General Hunter is an honest man. He was, and I hope still is, my friend. I valued him none the less for his agreeing with me in the general wish that all men everywhere could be free. He proclaimed all men free within certain States, and I repudiated the proclamation. He expected more good and less harm from the measure than I could believe would follow. Yet, in repudiating it, I gave dissatisfaction, if not offense, to many whose support the country cannot afford to lose. And this is not the end of it. The pressure in this direction is still upon me, and is increasing. By conceding what I now ask, you can relieve me, and much more can relieve the country, in this important point. Upon these considerations I have again begged your attention to the message of March last. Before leaving the capital, consider and discuss it among yourselves. You are patriots and statesmen, and as

such I pray you consider this proposition; and at the least commend it to the consideration of your States and people. As you would perpetuate popular government for the best people in the world, I beseech you that you do in no wise omit this. Our common country is in great peril, demanding the loftiest views and boldest action to bring it speedy relief. Once relieved, its form of government is saved to the world, its beloved history and cherished memories are vindicated, and its happy future fully assured and rendered inconceivably grand. To you, more than to any others, the privilege is given to assure that happiness and swell that grandeur, and to link your own names therewith forever. CHAP. V. Corrected by autograph MS.

It is doubtful whether the President expected any more satisfactory result from this last appeal to the border-State Representatives than had attended his previous one. He had had abundant occasion to observe their course in the Congressional debates; the opportunity had been long before them, and they had not taken advantage of it; amid the revolutionary impulse and action which were moving the whole country, their inaction on this subject was equivalent to resistance. This effort therefore, like the former one, proved barren: most of them answered with a qualified refusal; twenty of them[1] signed a written reply, on July 14, 1862. which, while it pledged an unchangeable continuance of their loyalty, set forth a number of mixed and inconsequential reasons against adopting the President's recommendation. They thought the

[1] From Kentucky, Senator Garrett Davis and Representatives Henry Grider, Aaron Harding, Charles A. Wickliffe. George W. Dunlap, Robert Mallory, John J. Crittenden, John W. Menzies, and James S. Jackson; from Missouri, Senator Robert Wilson and Representatives James S. Rollins, William A. Hall, Thomas L. Price, and John S. Phelps; from Maryland, Representatives John W. Crisfield, Edwin H. Webster, Cornelius L. L. Leary, Francis Thomas, and Charles B. Calvert; from Virginia (that part afterwards West Virginia), Senator John S. Carlile.

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project too expensive. They said slavery was a right which they ought not to be asked to relinquish; that the proposition had never been offered them in a tangible shape; that a different policy had been announced at the beginning of the war; that radical doctrines had been proclaimed and subversive measures proposed in Congress. In short, it was a general plea for non-action. Seven others[1] of their number drew up an address dissenting from the conservative views of the majority, and promising that "We will, so far as may be in our power, ask the people of the border States calmly, deliberately, and fairly to consider your recommendations." Two others[2] wrote separate replies in the same spirit; but, with only a minority to urge the proposition upon their people, it was plain from the first that no hope of success could be entertained.

[1] From Missouri, Representative John W. Noell; from Kentucky, Representative Samuel L. Casey; from Tennessee, Representative Andrew J. Clements; from Delaware, Representative George P. Fisher; from Virginia (West Virginia), Senator Waitman T. Willey and Representatives William G. Brown and Jacob B. Blair.

[2] Senator John B. Henderson of Missouri and Representative Horace Maynard of Tennessee.

EDWIN D. MORGAN.

ANDREW G. CURTIN

CHAPTER VI

EMANCIPATION PROPOSED AND POSTPONED

MILITARY events underwent great fluctuations in the first half of the year 1862. During the first three months Union victories followed each other with a rapidity and decisiveness which inspired the most sanguine hopes for the early and complete suppression of the Rebellion. Cheering news of important successes came from all quarters — Mill Springs in Kentucky, Roanoke Island in North Carolina, Forts Henry and Donelson in Tennessee, Pea Ridge in Arkansas, Shiloh in Tennessee, Island No. 10 in the Mississippi River, the reduction of Forts Jackson and St. Philip on the lower Mississippi, the capture of New Orleans in Louisiana, and finally, what seemed the beginning of a victorious advance by McClellan's army upon Richmond. In the month of May, however, this tide of success began to change. Stonewall Jackson's raid initiated a series of discouraging Union reverses, and McClellan's formidable advance gradually changed into an unnecessary retreat.

No one noted this blighting of a longed-for fruition with a keener watchfulness and more sensitive suffering than did President Lincoln. As the military interest and expectancy gradually lessened at

CHAP. VI. 1862. the circumference and slowly centered itself upon the fatal circles around the rebel capital, his thoughts by day and anxiety by night fed upon the intelligence which the telegraph brought from the Union camps on the Chickahominy and the James. It is safe to say that no general in the army studied his maps and scanned his telegrams with half the industry — and, it may be added, with half the intelligence — which Mr. Lincoln gave to his. It is not surprising, therefore, that before the catastrophe finally came the President was already convinced of the substantial failure of McClellan's campaign as first projected, though he still framed his letters and telegrams in the most hopeful and encouraging language that the situation would admit. But aware of the impending danger, he took steps to secure such a reënforcement of the army, and provide for such a readjustment of the campaign, as might yet secure the final and complete victory which had lain so temptingly within McClellan's grasp. A part of this programme was the consolidation of an army under Pope. The culmination of disaster doubtless came sooner than he thought possible. McClellan himself did not seem apprehensive of sudden danger when on June 26 he telegraphed: "The case is perhaps a difficult one, but I shall resort to desperate measures, and will do my best to outmanœuver, outwit, and outfight the enemy. Do not believe reports of disaster, and do not be discouraged if you learn that my communications are cut off, and even Yorktown in possession of the enemy. Hope for the best, and I will not deceive the hopes you formerly placed in me."

McClellan to Stanton, June 26, 1862, 12 M. W. R. Vol. XI., Part I., pp. 51, 52.

This was the language of a man still possessing courage and faith, but the events of the two days following robbed him of both. Early on the morning of the 28th he sent the Secretary of War his memorable telegram already quoted, which was a mere blind cry of despair and insubordination: "I have not a man in reserve, and shall be glad to cover my retreat and save the material and personnel of the army. . . If I save this army now, I tell you plainly that I owe no thanks to you or to any other persons in Washington. You have done your best to sacrifice this army."

McClellan to Stanton, June 28, 1862, 12:20 A. M. W. R. Vol. XI., Part I., p. 61.

The kind and patient words with which President Lincoln replied to this unsoldierly and unmanly petulance, and the vigorous exertions put forth by the War Department to mitigate the danger with all available supplies and reënforcements, have been related. The incident is repeated here to show that the President and Cabinet promptly put into execution a measure which had probably been already debated during the preceding days. The needs of the hour, and Lincoln's plan to provide for them, cannot be more briefly stated than in the two letters which follow, the first of which, written on this 28th day of June, he addressed to his Secretary of State. It was evidently written in a moment of profound emotion produced by McClellan's telegram, for nowhere in all his utterances is there to be found a stronger announcement of his determination to persevere unfalteringly in the public and patriotic task before him:

My view of the present condition of the war is about as follows: The evacuation of Corinth and our delay by the flood in the Chickahominy have enabled the enemy to

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concentrate too much force in Richmond for McClellan to successfully attack. In fact, there soon will be no substantial rebel force anywhere else. But if we send all the force from here to McClellan, the enemy will, before we can know of it, send a force from Richmond and take Washington. Or if a large part of the Western army be brought here to McClellan, they will let us have Richmond, and retake Tennessee, Kentucky, Missouri, etc. What should be done is to hold what we have in the West, open the Mississippi, and take Chattanooga and East Tennessee, without more. A reasonable force should, in every event, be kept about Washington for its protection. Then let the country give us a hundred thousand new troops in the shortest possible time, which, added to McClellan directly or indirectly, will take Richmond without endangering any other place which we now hold, and will substantially end the war. I expect to maintain this contest until successful, or till I die, or am conquered, or my term expires, or Congress or the country forsakes me; and I would publicly appeal to the country for this new force, were it not that I fear a general panic and stampede would follow, so hard is it to have a thing understood as it really is. I think the new force should be all, or nearly all, infantry, principally because such can be raised most cheaply and quickly.

Lincoln to Seward, June 28, 1862. MS.

This letter was of course not needed for the personal information of Mr. Seward, but was placed in his hands to enable him to reassure those who might doubt the President's courage and determination. The other letter, written in advance and dated the 30th, was addressed to the governors of the loyal States. It ran as follows:

June, 1862.

The capture of New Orleans, Norfolk, and Corinth by the National forces has enabled the insurgents to concentrate a large force at and about Richmond, which place we must take with the least possible delay; in fact, there will soon be no formidable insurgent force except at Richmond. With so large an army there the enemy can threaten us on the Potomac and elsewhere. Until we

have reëstablished the National authority, all these places must be held, and we must keep a respectable force in front of Washington. But this, from the diminished strength of our army by sickness and casualties, renders an addition to it necessary in order to close the struggle which has been prosecuted for the last three months with energy and success. Rather than hazard the misapprehension of our military condition and of groundless alarm by a call for troops by proclamation, I have deemed it best to address you in this form. To accomplish the object stated, we require, without delay, one hundred and fifty thousand men, including those recently called for by the Secretary of War. Thus reënforced, our gallant army will be enabled to realize the hopes and expectations of the Government and the people.

Lincoln to the Governors, June 30, 1862. MS.

Armed with these letters, Mr. Seward proceeded hastily to New York City. The brief correspondence which ensued indicates the progressive steps and success of his mission. On this same 30th of June he telegraphed to Secretary Stanton: "Am getting a foundation for an increase of one hundred and fifty thousand. Shall have an important step to communicate to-night or to-morrow morning. Governors Morgan and Curtin here, and communicate with others by telegraph. Let me have reliable information when convenient, as it steadies my operations. . . Will you authorize me to promise an advance to recruits of $25 of the $100 bounty? It is thought here and in Massachusetts that without such payment recruiting will be very difficult, and with it probably entirely successful."

1862.

Seward to Stanton, June 30, 1862. MS.

To this the Secretary of War replied on the following day: "The existing law does not authorize an advance of the bounty. . . Discreet persons here suggest that the call should be for 300,000 men — double the number you propose — as the

CHAP. VI.

waste will be large. Consider the matter. The President has not come into town yet; when he arrives you will receive his answer." Later in the day he added to the above: "The President approves your plan, but suggests 200,000, if it can be done as well as the number you mention."

Stanton to Seward, July 1, 1862. MS.

It is probable that a further discussion, and perhaps also further information of the retreat and despondency on the Peninsula, brought more fully to the minds of the President and Secretary of War the gravity of the crisis and the need of decisive action; for Mr. Stanton sent a third telegram to Mr. Seward saying: "Your telegram received. I will take the responsibility of ordering the $25 bounty out of the nine millions [appropriation] at all hazards, and you may go on that basis. I will make and telegraph the order in an hour. The President's answer has already gone."

Ibid.

Mr. Seward's answer to this was all that could be desired under the circumstances: "The governors respond, and the Union Committee approve earnestly and unanimously. . . Let the President make the order, and let both papers come out [in] tomorrow morning's papers if possible. The number of troops to be called is left to the President to fix. No one proposes less than 200,000; make it 300,000 if you wish. They say it may be 500,000 if the President desires. Get the $25 advance fixed, and let the terms be made known."

Seward to Stanton, July 1, 1862. MS.

Accordingly, on the morning of July 2 there appeared in the newspapers a formal correspondence, purporting to be the voluntary request of eighteen governors of loyal States to the President, "that you at once call upon the several States for such

numbers of men as may be required to fill up all military organizations now in the field, and add to the army heretofore organized such additional numbers of men as may, in your judgment, be necessary to garrison and hold all of the numerous cities and military positions that have been captured by our armies. . . All believe that the decisive moment is near at hand, and to that end the people of the United States are desirous to aid promptly in furnishing all reënforcements that you may deem needful to sustain our Government." To which the President's reply announced: "Gentlemen, fully concurring in the wisdom of the views expressed to me in so patriotic a manner by you in the communication of the 28th day of June, I have decided to call into the service an additional force of 300,000 men."

Moore, "Rebellion Record," Vol. V., Documents, pp. 547, 548.

"It was thought safest to mark high enough," said Mr. Lincoln in a private telegram to Governor Morgan of New York; while in another private circular to all the governors he explained his desire a little more fully. "I should not want the half of 300,000 new troops if I could have them now. If I had 50,000 additional troops here now, I believe I could substantially close the war in two weeks. But time is everything; and if I get 50,000 new men in a month I shall have lost 20,000 old ones during the same month, having gained only 30,000, with the difference between old and new troops still against me. The quicker you send, the fewer you will have to send. Time is everything; please act in view of this. The enemy having given up Corinth, it is not wonderful that he is thereby enabled to check us for a time at Richmond."

Lincoln to the Governors, July 3, 1862. MS.

CHAP. VI. 1862. It was doubtless the sudden collapse of McClellan's Richmond campaign which brought President Lincoln to the determination to adopt his policy of general military emancipation much sooner than he would otherwise have done. The necessity of a comprehensive rearrangement of military affairs was upon him, and it was but natural that it should involve a revision of political policy. The immediate present was provided for in the call just issued for 300,000 volunteers; but he had learned by experience that he must count new possibilities of delays and defeats, and that his determination, so recently recorded, to "maintain this contest" to ultimate triumph, compelled him to open new sources of military strength. He recognized, and had often declared, that in a republic the talisman which wrought the wonders of statesmanship and the changes of national destiny was public opinion. We now know that in the use of this talisman he was the most consummate master whose skill history has recorded.

We are justified in the inference that his foresight had perceived and estimated the great and decisive element of military strength which lay as yet untouched and unappropriated in the slave population of the South. To its use, however, there existed two great obstacles — prejudice on the part of the whites, the want of a motive on the part of the blacks. His problem was to remove the one and to supply the other. For the first of these difficulties the time was specially propitious in one respect. In the momentary check and embarrassment of all the armies of the Union, generals, soldiers, and conservative politicians would tolerate

reprisal upon rebels with forbearance if not with favor; and for their consent to the full military employment of the blacks he might trust to the further change of popular sentiment, the drift of which was already so manifest. The motive which would call the slaves to the active help of the Union armies lay ready made for his use — indeed, it had been in steadily increasing action from the beginning of hostilities till now, as far and as effectively as the Government would permit.

McClellan's change of base was effected on the 1st of July, 1862. Lincoln's final appeal to the border States took place shortly afterwards, on July 12; and his vivid portrayal of the inevitable wreck of slavery in the stress of war doubtless gathered color and force from the recent military events. Already, before the border-State delegations gave him their written replies, he knew from their words and bearing that they would in effect refuse the generous tender of compensation; and he decided in his own mind that he would at an early day give notice of his intention to emancipate the slaves of rebellious States by military proclamation. His first confidential announcement of the new departure occurred on the day following his interview with the border-State Representatives, and is thus recorded in the diary of Secretary Welles:

> On Sunday, the 13th of July, 1862, President Lincoln invited me to accompany him in his carriage to the funeral of an infant child of Mr. Stanton. Secretary Seward and Mrs. Frederick Seward were also in the carriage. Mr. Stanton occupied at that time, for a summer residence, the house of a naval officer, some two or three miles west or northwesterly of Georgetown. It was on

CHAP. VI. this occasion and on this ride that he first mentioned to Mr. Seward and myself the subject of emancipating the slaves by proclamation in case the rebels did not cease to persist in their war on the Government and the Union, of which he saw no evidence. He dwelt earnestly on the gravity, importance, and delicacy of the movement; said he had given it much thought, and had about come to the conclusion that it was a military necessity, absolutely essential for the salvation of the nation, that we must free the slaves or be ourselves subdued, etc., etc. This was, he said, the first occasion where he had mentioned the subject to any one, and wished us to frankly state how the proposition struck us. Mr. Seward said the subject involved consequences so vast and momentous that he should wish to bestow on it mature reflection before giving a decisive answer; but his present opinion inclined to the measure as justifiable, and perhaps he might say expedient and necessary. These were also my views. Two or three times on that ride the subject, which was of course an absorbing one for each and all, was adverted to, and before separating, the President desired us to give the subject special and deliberate attention, for he was earnest in the conviction that something must be done. It was a new departure for the President, for until this time, in all our previous interviews, whenever the question of emancipation or the mitigation of slavery had been in any way alluded to, he had been prompt and emphatic in denouncing any interference by the General Government with the subject. This was, I think, the sentiment of every member of the Cabinet, all of whom, including the President, considered it a local domestic question appertaining to the States respectively, who had never parted with their authority over it. But the reverses before Richmond, and the formidable power and dimensions of the insurrection, which extended through all the slave States and had combined most of them in a confederacy to destroy the Union, impelled the Administration to adopt extraordinary measures to preserve the national existence. The slaves, if not armed and disciplined were in the service of those who were, not only as field laborers and producers, but thousands of them were in attendance upon the armies in the field, employed

as waiters and teamsters, and the fortifications and intrenchments were constructed by them.[1]

Welles, Diary, MS.

July 17, 1862.

Within the next four days Congress finished its business and adjourned, the Confiscation Act being an important part of its final work. The President, as we have seen, signed the bill with its amendatory resolution, and the Government was thus brought face to face with the practical duty of enforcing its provisions through military directions and orders in further detail. It has been explained how the Confiscation Act and other laws broadened and multiplied the forfeitures of title to slaves for the crimes of treason and rebellion. We have the evidence of the President's written comments that he considered these penalties just and the imposition of them constitutional. In the administration of the laws thus enacted there therefore remained to be examined only the convenience of their practical enforcement and the general effect upon public opinion of the policy they established.

We have no record of the specific reasoning of President Lincoln upon these points. We only know that within the five days following the adjournment of Congress (July 17 to July 22, 1862) his mind reached its final conclusions. The diary of Secretary Chase contains the following record of what occurred at the Cabinet meeting at the Executive Mansion on July 21:

I went at the appointed hour, and found that the President had been profoundly concerned at the present aspect of affairs, and had determined to take some definite steps in respect to military action and slavery. He

[1] We are indebted to the courtesy of Edgar T. Welles — son of the Secretary of the Navy — for permission to use the many valuable extracts from the manuscript diary of his father, which we quote in different parts of this work.

CHAP. VI.

had prepared several orders,[1] the first of which contemplated authority to commanders to subsist their troops in the hostile territory; the second, authority to employ negroes as laborers; the third, requiring that both in the case of property taken and of negroes employed accounts should be kept with such degrees of certainty as would enable compensation to be made in proper cases. Another provided for the colonization of negroes in some tropical country. A good deal of discussion took place upon these points. The first order was universally approved. The second was approved entirely, and the third by all except myself. I doubted the expediency of attempting to keep accounts for the benefit of the inhabitants of rebel States. The colonization project was not much discussed. The Secretary of War presented some letters from General Hunter in which he advised the Department that the withdrawal of a large proportion of his troops to reënforce General McClellan rendered it highly important that he should be immediately authorized to enlist all loyal persons, without reference to complexion. Messrs. Stanton, Seward, and myself expressed ourselves in favor of this plan, and no one expressed himself against it. (Mr. Blair was not present.) The President was not

Warden, "Life of S. P. Chase," p. 439.

1 "WAR DEPARTMENT,
"WASHINGTON, July 22, 1862.

"*First.* Ordered that military commanders within the States of Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas in an orderly manner seize and use any property, real or personal, which may be necessary or convenient for their several commands, for supplies, or for other military purposes; and that while property may be destroyed for proper military objects, none shall be destroyed in wantonness or malice.

"*Second.* That military and naval commanders shall employ as laborers, within and from said States, so many persons of African descent as can be advantageously used for military or naval purposes, giving them reasonable wages for their labor.

W. R. Vol. XI., Part III., pp. 362, 363.

"*Third.* That as to both property and persons of African descent, accounts shall be kept sufficiently accurate and in detail to show quantities and amounts, and from whom both property and such persons shall have come, as a basis upon which compensation can be made in proper cases; and the several departments of this Government shall attend to and perform their appropriate parts towards the execution of these orders.

"By order of the President,
"EDWIN M. STANTON,
"*Secretary of War.*"

prepared to decide the question, but expressed himself as averse to arming negroes. CHAP. VI.

This Cabinet discussion came to no final conclusion, and we learn from the same diary that on the following day, Tuesday, July 22, 1862 — which was regular Cabinet day — the subject was resumed. Further conference was had on organizing negro regiments, but Lincoln decided that the moment had not yet arrived when this policy could be safely entered upon. Secretary Chase wrote: "The impression left upon my mind by the whole discussion was that, while the President thought that the organization, equipment, and arming of negroes like other soldiers would be productive of more evil than good, he was not unwilling that commanders should, at their discretion, arm, for purely defensive purposes, slaves coming within their lines." 1862.

But on the kindred policy of emancipation the President had reached a decision which appears to have been in advance of the views of his entire Cabinet. Probably greatly to their surprise, he read to them the following draft of a proclamation warning the rebels of the pains and penalties of the Confiscation Act, and, while renewing his tender of compensation to loyal States which would adopt gradual abolishment, adding a summary military order, as Commander-in-Chief, declaring free the slaves of all States which might be in rebellion on January 1, 1863. The text of this first draft of the Emancipation Proclamation is here printed from the President's autograph manuscript:

In pursuance of the sixth section of the act of Congress entitled, "An act to suppress insurrection and to punish treason and rebellion, to seize and confiscate prop-

CHAP. VI.

erty of rebels, and for other purposes," approved July 17, 1862, and which act and the joint resolution explanatory thereof are herewith published, I, Abraham Lincoln, President of the United States, do hereby proclaim to and warn all persons within the contemplation of said sixth section to cease participating in, aiding, countenancing, or abetting the existing rebellion, or any rebellion against the Government of the United States, and to return to their proper allegiance to the United States, on pain of the forfeitures and seizures, as within and by said sixth section provided.

And I hereby make known that it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure for tendering pecuniary aid to the free choice or rejection of any and all States which may then be recognizing and practically sustaining the authority of the United States, and which may then have voluntarily adopted, or thereafter may voluntarily adopt, gradual abolishment of slavery within such State or States; that the object is to practically restore, thenceforward to be maintained, the constitutional relation between the General Government and each and all the States wherein that relation is now suspended or disturbed; and that for this object the war, as it has been, will be prosecuted. And as a fit and necessary military measure for effecting this object, I, as Commander-in-Chief of the Army and Navy of the United States, do order and declare that on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or States wherein the constitutional authority of the United States shall not then be practically recognized, submitted to, and maintained, shall then, thenceforward, and forever be free.[1]

Of the Cabinet proceedings which followed the reading of this momentous document we have, un-

[1] The endorsement on the above paper, also in Lincoln's own handwriting, is as follows: "Emancipation proclamation as first sketched and shown to the Cabinet in July, 1862." The diary of Secretary Chase and the memorandum of Secretary Stanton show the exact date to have been July 22, 1862.

fortunately, only very brief memoranda. Every member of the council was, we may infer, bewildered by the magnitude and boldness of the proposal. The sudden consideration of this critical question reveals to us with vividness the difference in mental reach, readiness, and decision between the President and his constitutional advisers. Only two of the number gave the measure their unreserved concurrence, even after discussion. It is strange that one of these was the cautious Attorney-General, the representative of the conservative faction of the slaveholding State of Missouri, and that the member who opposed the measure as a whole, and proposed to achieve the result indirectly through the scattered and divided action of local commanders in military departments, was the antislavery Secretary of the Treasury, Mr. Chase, representing perhaps more nearly than any other the abolition faction of the free State of Ohio. All were astonished, except the two to whom it had been mentioned a week before. None of the others had even considered such a step. But from the mind and will of President Lincoln the determination and announcement to his Cabinet came almost as complete in form and certain in intention on that memorable Tuesday of July as when, two months later, it was given to the public, or as officially proclaimed on the succeeding New Year's Day, an irrevocable Executive act.

CHAP. VI.

July 22, 1862.

A fragmentary memorandum in the handwriting of Secretary Stanton shows us distinctly the effect produced upon the assembled council. The manuscript is here reproduced as nearly as the types conveniently permit. The very form of the record

CHAP. VI. shows the Secretary's strong emotion and interest in the discussion:

Tuesday, July 22.

The President proposes to issue an order declaring that, all slaves in States in rebellion on the ——— day of —— —— ——

The Attorney-General and Stanton are for its immediate promulgation.

Seward against it; argues strongly in favor of cotton and foreign Governments.

Chase silent.

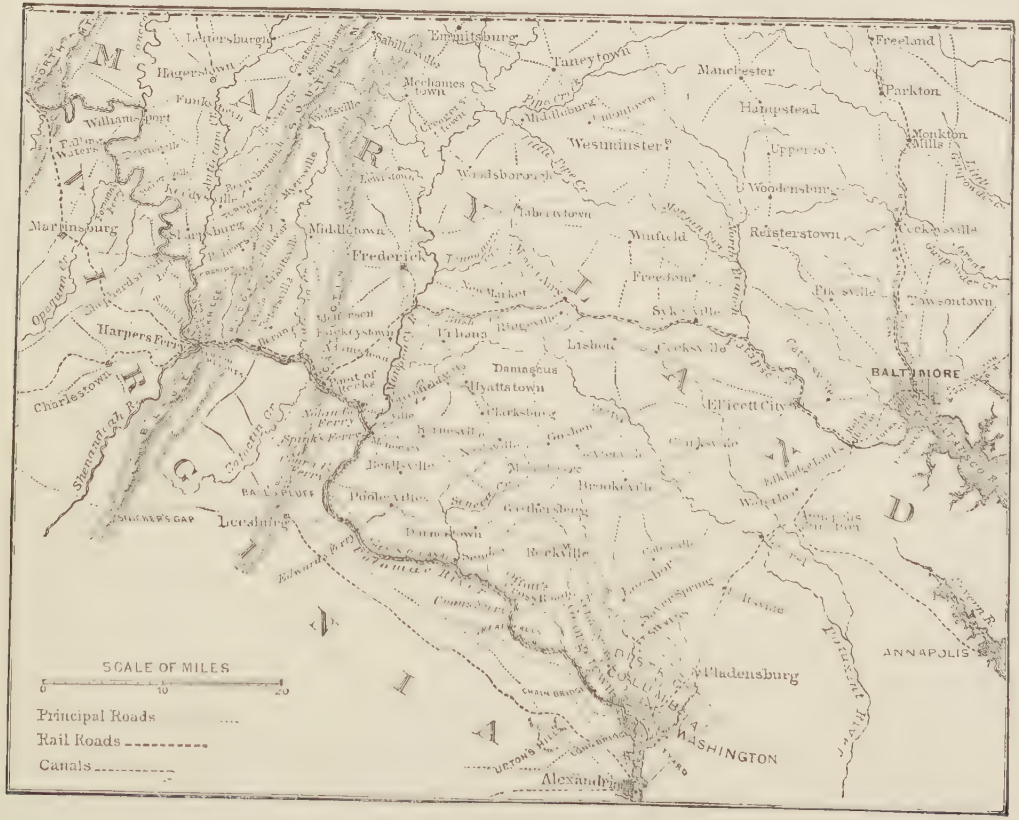
Welles ——

Seward argues —— That foreign nations will intervene to prevent the abolition of slavery for sake of cotton. Argues in a long speech against its immediate promulgation. Wants to wait for troops. Wants Halleck here. Wants drum and fife and public spirit. We break up our relations with foreign nations and the production of cotton for sixty years.

Chase —— Thinks it a measure of great danger, and would lead to universal emancipation —— The measure goes beyond anything I have recommended.

The omissions in this bit of historical manuscript are exceedingly provoking, but some of them are supplied by President Lincoln's own narrative, recorded and published by the artist, F. B. Carpenter, whose application for permission to paint his historical picture of the signing of the Emancipation Proclamation called it forth:

"It had got to be," said he [Mr. Lincoln], "midsummer, 1862. Things had gone on from bad to worse, until I felt that we had reached the end of our rope on the plan of operations we had been pursuing; that we had about played our last card, and must change our tactics, or lose the game. I now determined upon the adoption of the emancipation policy; and without consultation with, or the knowledge of, the Cabinet, I prepared the original draft of the proclamation, and after much anxious thought,


Leitersburg
Sabillasville
Emmitsburg
Taneytown
Freeland
Hagerstown
Mechanicstown
Manchester
Parkton
Williamsport
Pipe Creek
Hampstead
Monkton Mills
Westminster
Upperco
Woodensburg
Reisterstown
Middletown
Frederick
Winfield
Freedom
Pikesville
Lawsontown
Harpers Ferry
Damascus
Lisbon
BALTIMORE
Charlestown
Hyattstown
Ellicott City
Clarksburg
Poolesville
Brookeville
Leesburg
Rockville
Annapolis
Bladensburg
WASHINGTON
Alexandria
SCALE OF MILES
0 10 20
Principal Roads
Rail Roads
Canals

called a Cabinet meeting upon the subject. . . All were present excepting Mr. Blair, the Postmaster-General, who was absent at the opening of the discussion, but came in subsequently. I said to the Cabinet that I had resolved upon this step, and had not called them together to ask their advice, but to lay the subject-matter of a proclamation before them, suggestions as to which would be in order after they had heard it read. Mr. Lovejoy was in error when he informed you that it excited no comment excepting on the part of Secretary Seward. Various suggestions were offered."

At this point we interrupt the President's relation a moment to quote in its proper sequence the exact comment offered by Secretary Chase,[1] as recorded in his diary: "I [Chase] said that I should give to such a measure my cordial support, but I should prefer that no new expression on the subject of compensation should be made; and I thought that the measure of emancipation could be much better and more quietly accomplished by allowing generals to organize and arm the slaves (thus avoiding depredation and massacre on one hand, and support to the insurrection on the other), and by directing the commanders of departments to proclaim emancipation within their districts as soon as practicable. But I regarded this as so much better than inaction on the subject, that I should give it my entire support." The President continues:

Warden, "Life of S. P. Chase," p. 440.

"Mr. Blair, after he came in, deprecated the policy on the ground that it would cost the Administration the fall

[1] On this point the President is reported as saying: "Secretary Chase wished the language stronger in reference to the arming of blacks." (Carpenter, "Six Months at the White House," p. 21.) If these were his words, his memory was slightly at fault. There was nothing in the proposed proclamation of emancipation about arming the blacks. That branch of the discussion, while it occurred at the same time, had exclusive reference to the military order quoted on page 124, also then under consideration.

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elections. Nothing, however, was offered that I had not already fully anticipated and settled in my own mind, until Secretary Seward spoke. He said in substance, 'Mr. President, I approve of the proclamation, but I question the expediency of its issue at this juncture. The depression of the public mind, consequent upon our repeated reverses, is so great that I fear the effect of so important a step. It may be viewed as the last measure of an exhausted Government, a cry for help; the Government stretching forth its hands to Ethiopia, instead of Ethiopia stretching forth her hands to the Government.' His idea," said the President, "was that it would be considered our last *shriek* on the retreat. (This was his precise expression.) 'Now,' continued Mr. Seward, 'while I approve the measure, I suggest, sir, that you postpone its issue until you can give it to the country supported by military success, instead of issuing it, as would be the case now, upon the greatest disasters of the war.'" Mr. Lincoln continued: "The wisdom of the view of the Secretary of State struck me with very great force. It was an aspect of the case that, in all my thought upon the subject, I had entirely overlooked. The result was that I put the draft of the proclamation aside, as you do your sketch for a picture, waiting for victory."

F. B. Carpenter, "Six Months at the White House," pp. 20-22.

Instead of the proclamation thus laid away, a short one was issued three days after, simply containing the warning required by the sixth section of the Confiscation Act. The already quoted military order to make seizures under the act had been issued on the day when the proclamation was discussed and postponed; mean while the Government, by its new military arrangements, sending reënforcements to McClellan, organizing a new army under Pope, and calling Halleck from the West to exercise a superior and guiding control over a combined campaign towards Richmond, seemed to have provided the needful requirements for early and substantial success.

CHAPTER VII

ANTIETAM

AS soon as General McClellan was replaced in command of the Army of the Potomac he began to put the forces in order; and the ease and rapidity with which this was accomplished show that both he and General Pope, with very different intentions, had equally exaggerated the state of their demoralization. The troops were not in so bad a condition at Centreville as Pope imagined, and the army that Mr. Lincoln handed over to McClellan at Washington was, both in numbers and morale, a formidable host. Its morning returns show an aggregate of over 100,000 men, and General McClellan himself reports that he had at Antietam 87,000. But the vast discrepancy between the force on paper and the effectives in battle gives a margin of which writers are apt to avail themselves according to their prejudices or prepossessions. General Palfrey, who took part in the campaign and who afterwards examined the reports on both sides with scrupulous care, says that in this single instance McClellan overstated the number of his troops in action, and that 70,000 would be nearer the mark. It is true he could afford it, as in the same estimate he very nearly

Sept. 2, 1862.

W. R. Vol. XIX., Part I., p. 67.

F. W. Palfrey, "Antietam and Fredericksburg," pp. 69–71.

CHAP. VII.

doubled the number of the enemy. The Confederate rosters show some forty-five brigades of infantry, exclusive of cavalry and artillery. Lee says in his report that the battle of Antietam was fought by less than 40,000 troops, on his side.

W. R. Vol. XIX., Part I., p. 151.

McClellan's time for training and drilling his recovered army was brief; for within a few days the news came that Lee had crossed the Potomac into Maryland. There was no time now for indecision, and Lincoln's stern and constantly repeated injunction, "You must find and hurt this enemy now," had to be obeyed.

General Lee has given in his own report a sufficiently clear statement of what he hoped to accomplish by his invasion of Maryland. The supplies of rich and productive districts were thus made accessible to his army, and he wished to prolong this "state of affairs in every way desirable, and not to permit the season for active operations to pass without endeavoring to inflict further injury upon the enemy." He also makes an acknowledgment which shows that he, in common with others at Richmond, had been grossly deceived by the accounts which rebel refugees from Maryland, and their sympathizing correspondents at home, had given of the oppressive tyranny of Lincoln, and the resentment it had caused in that commonwealth. He says:

Ibid., p. 144.

> The condition of Maryland encouraged the belief that the presence of our army, however inferior to that of the enemy, would induce the Washington Government to retain all its available force to provide against contingencies which its course towards the people of that State gave it reason to apprehend. At the same time it was hoped that military success might afford us an opportu-

nity to aid the citizens of Maryland in any efforts they might be disposed to make to recover their liberties. The difficulties that surrounded them were fully appreciated, and we expected to derive more assistance in the attainment of our object from the just fears of the Washington Government than from any active demonstration on the part of the people, unless success should enable us to give them assurance of continued protection. CHAP. VII. W. R. Vol. XIX., Part I., p. 144.

In a hasty note he informed the Richmond Government of his purpose, and took the initial steps to execute it with great promptness. He crossed his entire army between the 4th and 7th of September near Leesburg, and camped in the vicinity of Frederick. He took it for granted that our force at Harper's Ferry would be at once withdrawn; thereafter he intended to move the army into Western Maryland, establish his communications with Richmond through the Shenandoah Valley, and then to move into Pennsylvania and draw McClellan from his base to fight in a field of his own selection. If all his surmises had been correct, if Miles had been withdrawn from Harper's Ferry, if Maryland had risen in revolt, if McClellan had allowed him to range through Western Maryland at his leisure, the plan would have been an admirable one and the results of it most fruitful; but all these expectations failed. After two days at Frederick he found that Maryland was contented with the oppressor's yoke, and that Miles remained at Harper's Ferry. He therefore considered it necessary to detach a large portion of his force, under Jackson, McLaws, and Walker, to surround and capture the garrison at that place; the rest of the army withdrew from Frederick to Boonsboro'. 1862.

CHAP. VII.

Meantime McClellan was slowly approaching. He felt, of course, the need of more troops. With an army and trains about him so enormous that, as he says in his report, they would occupy fifty miles of road in marching order, he still paused on the 10th to write to General Halleck, begging for reënforcements. He first assures him that the capital is in no danger and that all the troops there may safely be sent to him; but in order to guard against any possible rejoinder he adds, "Even if Washington should be taken while these armies are confronting each other, this would not, in my judgment, bear comparison with the ruin and disaster which would follow a signal defeat of this army," an opinion which has no especial value except as showing what General McClellan's judgment was worth in such a matter. Except when he was in Washington, he always regarded its possible capture as a trifling affair. But his demand was complied with: Porter's corps was ordered to join him with a kind message from the President, which he acknowledged courteously, and then — asked for the remainder of Keyes's corps! He was in no haste; he ordered his officers beforehand to avoid collisions. He attempted in his report to account for his tardy marching on the ground that the authorities at Washington wished him not to go too far from the capital. General Halleck says that no order capable of bearing this construction was ever given. He says: "I telegraphed him that he was going too far, not from Washington, but from the Potomac. . . I thought he should keep more upon the Potomac and press forward his left rather than his right, so as more readily to relieve

W. R. Vol. XIX., Part I., p. 42.

W. R. Vol. XIX., Part II., p. 234.

McClellan to Halleck, Sept. 11, 1862. Ibid., pp. 254, 255.

W. R. Vol. XIX., Part II., p. 255.

Halleck, Testimony, Report Committee on Conduct of the War. Part I., p. 452.

Harper's Ferry, which was the point then in most immediate danger." CHAP. VII.

But two days after the above-mentioned letter asking for reënforcements, McClellan received information which was enough to put a soul of enterprise into the veriest laggard that ever breathed. There never was a general so fruitlessly favored by fortune as McClellan, and never was such a piece of good luck offered, even to him, as that which fell into his hands on the 13th of September. 1862.
He had been advancing in his leisurely manner from Washington on parallel roads, making only about six miles a day, when on the 13th he arrived at Frederick and one of his officers brought to him Lee's special order of the 9th, that a private soldier had found, containing his entire plan of campaign. By this he learned that his enemy was before him, a day's march away; that Lee's whole force was inferior to his own; and that it was divided into two portions, one in camp near Boonsboro' and the other besieging Miles at Harper's Ferry. It is not too much to say that his enemy had been delivered into his hands. After he had read this order an immediate contest between him and Lee, other things being equal, would have been like a fight between a man blindfolded and one having use of his eyes. He not only knew of the division of his enemy's army in half, but he knew where his trains, his rear-guard, his cavalry, were to march and to halt, and where the detached commands were to join the main body.[1]

W. R. Vol. XIX., Part I., pp. 42, 43.

[1] General Palfrey's criticisms of McClellan in this campaign are entitled to careful study. They are, as he says, "The expression of conclusions arrived at with deliberation by one who began as a passionate enthusiast for him, who has made his cam-

CHAP. VII. He seemed to appreciate the importance of his discovery,[1] but it was not in his nature to act promptly enough. Franklin was at Buckeystown, about twelve miles east of South Mountain, a prolongation northward of the Blue Ridge, beyond which Lee's army lay. Instead of giving him immediate orders to march with all possible speed to Harper's Ferry, he wrote at his leisure a long and judicious instruction directing him to march to that point the next day. The weather was perfect; the roads were in good order. McClellan knew there was no enemy between him and Crampton's Gap. Every possible consideration urged him to make use of every instant of time.[2] The precious opportunity was neglected, and it was noon the
1862. next day, the 14th of September, when Franklin stormed the crest of the mountain after a brilliant and easy victory over General Cobb's detachment of McLaws's division, which had been left to guard

paigns the subject of much study and thought, and who has sought only to compare the facts of those campaigns with the established principles of the military art."—Palfrey, "Antietam and Fredericksburg," p. 134.

[1] He telegraphed to the President: "I have the whole rebel force in front of me, but am confident no time shall be lost. . . I think Lee has made a gross mistake, and that he will be severely punished for it. . . I have all the plans of the rebels, and will catch them in their own trap if my men are equal to the emergency."—W. R. Vol. XIX., Part II., p. 281.

[2] "If he had thrown forward his army with the vigor used by Jackson in his advance on Harper's Ferry, the passes of South Mountain would have been carried before the evening of the 13th, at which time they were very feebly guarded; and then, debouching into Pleasant Valley, the Union commander might next morning have fallen upon the rear of McLaws at Maryland Heights and relieved Harper's Ferry, which did not surrender till the morning of the 15th. But he did not arrive at South Mountain until the morning of the 14th, and by that time the Confederates, forewarned of his approach, had recalled a considerable force to dispute the passage."—Swinton, "Army of the Potomac," p. 202.

BATTLE OF SOUTH MOUNTAIN, SEPTEMBER 14, 1862. POSITIONS AT FOX'S AND TURNER'S GAPS.

—Opposite page 136.

the pass. The Union right wing spent the whole of the same day in a stubborn fight for the possession of Fox's and Turner's Gaps, some six miles farther north. After sharp fighting, in which General Jesse L. Reno, an officer of the highest merit, was killed, and Colonel Hayes, afterwards President of the United States, was wounded, advanced positions were secured. At neither Crampton's nor Turner's was the victory pushed to advantage. Franklin did nothing to relieve the beleaguered garrison at Harper's Ferry, and the force at Turner's Gap rested on the ground that they had won until, when the mists of the morning cleared away on the 15th, they saw the enemy had retreated from their front. Much valuable time had been lost, and more than time; for early on the morning of the 15th the blundering and bewildered defense of Harper's Ferry had ceased by the surrender of the garrison, its unhappy commander having been killed after he had displayed the white flag. CHAP. VII. Sept., 1862.

But McClellan had not yet lost all his advantage; and the sacrifice of Harper's Ferry would have been amply compensated if he had moved at once with all possible speed upon Lee, who, with only Longstreet's and D. H. Hill's troops, had taken up his position at Sharpsburg. Jackson was still south of the Potomac. He had no fear of night marches, and was making all possible speed to join Lee through the day and night of the 15th. The force of McLaws got away from in front of Franklin, and, though making a long détour and crossing the Potomac twice, still joined the main army at Sharpsburg on the 17th. All this time, while the scattered detachments of Lee were moving

CHAP. VII. with the utmost expedition to join their main body, making two or three times the distance which separated Lee from McClellan, the latter made his preparations for an attack, as if, to quote Johnston again, time was of no especial value to him.

Sept., 1862. On the 15th he marched down to Antietam Creek and placed his soldiers in position. He rode from end to end of his line, enjoying one of the grandest greetings ever given by an army to its commander. The thunder of cheers which met him at every point showed that there was no lack of morale in that mighty army, and that they were equal to any service their beloved commander might choose to require of them.

It seems almost incredible, as we write it, and it will appear inexplicable to such readers as may come after us, that McClellan made no movement during the afternoon[1] of Monday, the 15th, and did nothing during the entire day of the 16th but to advance a portion of his right wing across Antietam Creek, and this while the ragged legions of Lee were streaming in from across the Potomac to take up their positions for the impending conflict. Every minute which he thus let slip was paid for in the blood of Union soldiers next day. Never had McClellan's habit of procrastination served him so ill a turn as during the whole day of the 16th. Lee's error of dividing his army would have been fatal to him if even on the morning of the 16th McClellan had advanced upon him in force. The loss of the afternoon of the 15th in that case would scarcely have been felt. The reduction of

[1] McClellan in his memoirs, "Own Story," p. 586, blames Burnside for the slowness of the march on the 15th.

Harper's Ferry had taken a day longer than Lee expected, and when night fell the divisions of McLaws, Anderson, A. P. Hill, and Walker were still beyond the Potomac. He would have been compelled to withstand the attack of McClellan's whole army with nothing but the divisions of D. R. Jones and D. H. Hill on the right and center, and of Hood, Ewell, and J. R. Jones on the left. But before noon of the 17th most of Lee's forces were on the ground, and the rest arrived during the battle. McClellan had rejected the proffered favors of fortune. His delay had given back to Lee all the advantages afforded McClellan by the separation of Lee's army and the discovery of his plan of campaign. Lee had had unbroken leisure for forty-eight hours to study his ground and the dispositions of his antagonist, which had been made in plain view under his eyes. Lee's advantage of position was fully equal to McClellan's advantage of numbers; and it was therefore on even terms between the two armies that the battle of Antietam began.

CHAP. VII.

Lee to Davis, Sept. 18, 1862. W. R. Vol. XIX., Part I., p. 141.

Sept., 1862.

The ground was highly favorable to Lee. In front of him was Antietam Creek, the high ground, some of it wooded, affording an advantageous position and cover for his batteries. There was little field for manœuvering, and little was attempted. From daylight till dark of the 17th the battle went on. There was nothing of it but sheer, persistent, brutal slaughter. McClellan's plan was to throw forward his right wing, the corps of Hooker leading, supported by that of Mansfield, and by those of Sumner and Franklin if necessary; when the battle became well engaged on the right, the left wing, under Burnside, was to cross the lower bridge to

CHAP. VII. try to turn the enemy's right. On this simple plan the battle was contested. Hooker advanced early in the morning, and fought until his corps, giving and receiving about equal injuries, was shattered to pieces, and himself borne from the field, severely wounded. General Meade succeeded to the command, and Mansfield came to his assistance. The latter's corps also did heroic service, and its veteran commander was killed in the front of his foremost line. His corps was led during the rest of the day by General A. S. Williams. As the Union left remained entirely inactive, Lee was able to use most of his force on our right, and his resistance was so obstinate that Sumner's corps was drawn into the conflict, where it met with heavy losses; Richardson, one of the best division commanders in the army, received a mortal hurt, and Sedgwick was twice wounded. Before the battle ended on the right, even Franklin's corps, which McClellan had intended to hold in reserve, was drawn into the whirlpool of blood and fire. Corps by corps, division by division, one might almost say brigade by brigade, those brave and devoted troops were hurled in succession, without intelligent plan, without any special concert of action, against Lee's left. The carnage was frightful, the result in no proportion to the terrible expense.

Sept. 17, 1862. It was afternoon before the left wing, under Burnside, began its part of the work. The lower bridge was crossed about one o'clock and the west bank gained, but no further advance was made by Burnside until after three o'clock. He then moved forward his forces, under General Cox's command, upon the enemy's right, making good progress, until, late in

the afternoon, as if Fortune, weary of having her favors rejected by General McClellan, had turned to the other side, the division of A. P. Hill, which had marched seventeen miles in seven hours, arrived on the field from Harper's Ferry and made a vigorous attack upon our extreme left, killed General Isaac P. Rodman, and threw his division into some disorder. This unlooked-for demonstration checked the advance of the Federal column, and it fell back a little distance to the hills near the Antietam. Night came on, and the long, desperate battle was at an end. The tactical advantage was with General McClellan. On his left, his center, and his right, he had gained a little ground. Both armies had suffered losses which it shocks the sense to contemplate. They were almost equal — over 12,000 killed and wounded on the Union side, over 11,000 on the Confederate;[1] but Lee's loss was more than one-fourth of his army, while McClellan's was only one-sixth of his. In his report General McClellan says: CHAP. VII

> The . . . night brought with it grave responsibilities. Whether to renew the attack on the 18th or to defer it, even with the risk of the enemy's retirement, was the question before me.

W. R. Vol. XIX. Part I., p. 65.

There could be little doubt of his decision of the question. He was keenly alive to the sufferings of his army. He loved them, and was loved by them in return. The piled heaps of the slain, the thousands of wounded and dying, the wreck and havoc

[1] On the Union side 12,410 at Antietam and 15,203 in the campaign, not including the losses at Harper's Ferry, which were 12,737. The closest estimate that can be made shows a loss of about 11,172 to the Confederates at Antietam, and of 13,964 during the campaign.—"Battles and Leaders," Vol. II., pp. 600-603.

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of the conquered field, all impressed his imagination so powerfully that he was unable to conceive the worse condition of the enemy. There rose before his mind also an appalling picture of the consequences that would ensue if he risked another battle and lost it. He saw Lee's army marching in triumph on Washington, Baltimore, Philadelphia, and New York, the country ravaged, the cause lost. Every impulse of his heart and conscience forbade him to assume so enormous a responsibility. He would not absolutely decide which course to adopt, but, after his habit, concluded to wait until the 19th before making a final decision.[1]

W. R. Vol. XIX., Part I., p. 65.

The occasion, however, would not wait for him. Lee knew, if McClellan did not, that the Confederate army was in no condition to risk another battle. The straggling of McClellan's force was one of the reasons that induced him to delay. No doubt there was a great deal of it in his command. One day Mr. Lincoln, exasperated at the discrepancy between the aggregate of troops he had sent to McClellan and the number McClellan reported as having received, exclaimed in a grotesque simile, "Sending men to that army is like shoveling fleas across a barnyard; not half of them get there." But the case on the other side was worse still. Lee

[1] It is hard to say whether these words, from a letter written by General McClellan on the 18th, are more comic than pathetic: "Those in whose judgment I rely tell me that I fought the battle splendidly, and that it was a masterpiece of art. . . God has been good in sparing the lives of all my staff. Generals Hooker, Sedgwick, Dana, Richardson, and Hartsuff, and several other general officers, wounded. Mansfield is dead, I fear." On the 20th he wrote: "I feel that I have done all that can be asked in twice saving the country."—"McClellan's Own Story," p. 612.

Sept., 1862.

reported to Jefferson Davis on the 21st of September that the efficiency of his army was "paralyzed by the loss to its ranks of the numerous stragglers." "On the morning after the battle," he said, "General Evans reported to me on the field, where he was holding the front position, that he had but 120 of his brigade present, and that the next brigade to his, that of General Garnett, consisted of but 100 men. General Pendleton reported that the brigades of Generals Lawton and Armistead, left to guard the ford at Shepherdstown, together contained but 600 men. This," he added feelingly, "is a woful condition of affairs." But of course General McClellan had no personal knowledge of this; and, as we have seen in the course of this narrative, he was utterly destitute of those intuitions of the situation and the intention of his enemy which we find in all great commanders. The fight of the day before had been so terrible in the struggle and carnage, he had made his personal influence so little felt on the field, he had gained so little advantage in comparison with his frightful losses, that it would be unjust to expect to find in him on the morning of the 18th that alacrity and elation of victory which would have impelled him in pursuit of his shattered enemy. Beaten as Lee was, his promising campaign brought to a disastrous failure by his own error, he was still less affected by it than was McClellan by his victory. He even thought for the moment, before twilight had settled on the battle of the 17th, of executing with his usual instrument his usual movement, of sending Stonewall Jackson by the left to attack the right flank of McClellan's

W. R. Vol. XIX. Part I. p. 143.

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army.[1] He opposed a bold front to his ill fortune, and closed his description of the battle by saying that he deemed it injudicious to push his advantage further.

Sept., 1862.

McClellan was almost alone in his decision not to continue the battle on the 18th. General Burnside, who commanded on the left, testified that he thought the attack should be renewed at early dawn, and gave this opinion to McClellan the night of the battle.[2] General McClellan said he would think the matter over and make up his mind before morning, and a staff-officer of Burnside's was kept in waiting through the night at McClellan's headquarters to learn his decision.

Burnside, Testimony, Report Committee on Conduct of the War.

General Franklin, in command of the center, also testified that he showed McClellan a position on our right of great importance, and advised an attack on that place in the morning. He said there was no doubt that we could carry it, as we had plenty of artillery bearing on it. He thought that by this means the whole left flank of the enemy would have been uncovered. When asked what reasons were given for rejecting this plan, he repeated McClellan's customary fatal excuse for delay, that he would prefer to wait for reënforcements. Hooker, who had commanded the right wing, was also of the opinion that the attack should be resumed, although his wounds would have prevented his taking part in it.

Franklin, Testimony, Report Committee on Conduct of the War. Part I., p. 627.

[1] "While the attack on our center was progressing, General Jackson had been directed to endeavor to turn the enemy's right, but found it extending nearly to the Potomac, and so strongly defended with artillery that the attempt had to be abandoned."—Lee, Report, W. R. Vol. XIX., Part I., p. 151.

[2] General McClellan in his memoirs contradicts this testimony. — "McClellan's Own Story," p. 607.

EXPLANATION
UNION
CONFEDERATE
RESERVE
CAVALRY
CONFED. LINE EVENING SEP. 16
" " " SEP 17
SCALE OF ONE MILE
MERCERSVILLE
NEW INDUSTRY
POTOMAC
Nicodemus
D Hoffman
W Middlekauff
J Poffenberger
G Lyon
Heinz
J.Miller
Hoffman
J Thomas
D R Miller
H Cox
J.Hauser
W.Webb
H Reel
S Reel
T. Miller
Dunkard Church
A Chpp
J M Miller
J P Newkirk
Ph Pry
HAZLETT
MORLL
KUSSEROW
PORTERS TOWN
MANSFIELD
SUMNER
HANCOCK
SEDGWICK
SIMPSON
COOPER
GREENE
WILLIAMS
DOUBLEDAY
MEADE
RICKETTS
STUART
HOOKER
SLOCUM
FRANKLIN
BANKS
SUMNER
HILL
LONGSTREET
HILL
HOOD
PICKETT
PETTIGREW
PENDER
ANDERSON
WILCOX
WRIGHT
LANGNER
WEVER
GRAHAM
RICHARDSON
HUMPHREYS
MCCLELLANS HEAD QRS
CROSSING OF HOOKER & MANSFIELD

MAP OF ANTIETAM.

But it was too much to expect of General McClellan that he should follow such advice. He had had, it is true, a moment of elation on the morning of the 15th after the engagement at South Mountain. To attack an enemy in position, and drive him, was to McClellan so new a sensation that he was evidently greatly exhilarated by his success at Turner's Gap. He reported Lee as admitting "they had been shockingly whipped," and as "making for Shepherdstown in a perfect panic." But after the terrible conflict at Antietam the cold fit came on, and his only dispatches to Washington were of his heavy losses and of holding what he had gained. He evidently thought more of being attacked on that day than of attacking. "The battle," he says, "will probably be renewed to-day. Send all the troops you can, by the most expeditious route." It was therefore with feelings of the greatest relief that he saw Lee's rear-guard disappear across the Potomac, and in the forenoon of the 19th he joyfully telegraphed to Washington, "Our victory was complete. The enemy is driven back into Virginia. Maryland and Pennsylvania are now safe."

Sept., 1862.

W. R. Vol. XIX., Part II., p. 294.

McClellan to Halleck, Sept. 18, 1862. W. R. Vol. XIX., Part II., p. 322.

McClellan to Halleck. W. R. Vol. XIX., Part II., p. 330.

The President received this news, as was natural, with mingled gratitude and disappointment. He was glad and thankful for the measure of success which had been achieved, but the high hope he had entertained of destroying Lee's army before it recrossed the Potomac was baffled. His constant entreaty to McClellan, from the time he put him in command of the army up to the day of the battle, was, "Please do not let him get off without being hurt." It was with this hope and purpose that he

Lincoln to McClellan, Sept. 12, 1862. W. R. Vol. XIX., Part II., p. 270.

CHAP. VII. had given McClellan everything he asked for, infusing his own indomitable spirit into all the details of work at the War Department and the headquarters of the army. It was by his order that McClellan had been pushed forward, that Porter had been detached from the defense of Washington, that the militia of Pennsylvania had been hurried down to the border. He did not share General McClellan's illusion as to the monstrous number of the enemy opposed to him; and when he looked at the vast aggregate of the Army of the Potomac by the
1862. morning report on the 20th of September, which shows 93,149 present for duty, he could not but feel that the result was not commensurate with the efforts made and the resources employed.

CHAPTER VIII

EMANCIPATION ANNOUNCED

WHEN, on the 22d of July, after full Cabinet discussion, President Lincoln decided to postpone the proclamation of emancipation which he had first prepared, in order to wait for a victory, all indications afforded a reasonable hope that the delay would not be a long one. The union of the armies of McClellan and Pope had been ordered, and once combined they would outnumber any force they were likely to meet. Halleck had been called to Washington to exercise chief command and secure unity of orders and movements. The new call for volunteers was expected to bring quick reënforcements.

We have seen through what deplorable shortcomings of McClellan and some of his officers this reasonable hope was frustrated, and how, instead of the expected victory, an unnecessary and most disheartening defeat augmented President Lincoln's difficulties and responsibilities; how the combined armies were forced back upon Washington under such circumstances that the President felt compelled to intrust their reorganization to the very man whose weakness and jealousy had been the main cause of the disaster.

CHAP. VIII. The damaging effect of these reverses extended beyond mere military results; they gave a new and serious character to the political conditions and complications which were an inseparable part of the President's great task. They sharpened anew the underlying prejudice and distrust between the two factions of his supporters — radicals and conservatives, as they began to be called; or, more properly speaking, those who were anxious to destroy and those who were willing to preserve slavery. Each faction loudly charged the other with being the cause of failure, and clamored vehemently for a change of policy to conform to their own views. Outside of both was the important faction of those Democrats who either yielded the war only a sullen support or opposed it as openly as they safely might, and who, on the slavery issue, directed their denunciations wholly against the radicals. It may be truly said that at no time were political questions so critical and embarrassing to Mr. Lincoln as during this period. His own decision had been reached; his own course was clearly and unalterably marked out. But the circumstances surrounding him did not permit his making it known, and he was compelled to keep up an appearance of indecision which only brought upon him a greater flood of importunities.

During no part of his Administration were his acts and words so persistently misconstrued as in this interim by men who gave his words the color and meaning of their own eager desires and expectations. To interpret properly Mr. Lincoln's language it must be constantly borne in mind that its single object was to curb and restrain the im-

patience of zealots from either faction. If we group together his several letters and addresses of this period, we may see that his admonitions and rebukes were given to both with equal earnestness and impartiality. Occasions were not wanting; for all request and advice which came to him were warped to one side or the other by the culminating contest, in which he alone could give the final and deciding word. On the 26th of July, 1862, he wrote the following letter to Reverdy Johnson, then at New Orleans on public business, who had made communications touching affairs in the Department of the Gulf: CHAP. VIII.

Yours of the 16th, by the hand of Governor Shepley, is received. It seems the Union feeling in Louisiana is being crushed out by the course of General Phelps. Please pardon me for believing that is a false pretense. The people of Louisiana — all intelligent people everywhere — know full well that I never had a wish to touch the foundations of their society, or any right of theirs. With perfect knowledge of this they forced a necessity upon me to send armies among them, and it is their own fault, not mine, that they are annoyed by the presence of General Phelps. They also know the remedy — know how to be cured of General Phelps. Remove the necessity of his presence. And might it not be well for them to consider whether they have not already had time enough to do this? If they can conceive of anything worse than General Phelps within my power, would they not better be looking out for it? They very well know the way to avert all this is simply to take their place in the Union upon the old terms. If they will not do this, should they not receive harder blows rather than lighter ones? You are ready to say I apply to friends what is due only to enemies. I distrust the wisdom if not the sincerity of friends who would hold my hands while my enemies stab me. This appeal of professed friends has paralyzed me more in this struggle than any other one thing. You re-

CHAP. VIII.

member telling me, the day after the Baltimore mob, in April, 1861, that it would crush all Union feeling in Maryland for me to attempt bringing troops over Maryland soil to Washington. I brought the troops notwithstanding, and yet there was Union feeling enough left to elect a Legislature the next autumn, which in turn elected a very excellent Union United States Senator! I am a patient man — always willing to forgive on the Christian terms of repentance, and also to give ample time for repentance. Still, I must save this Government, if possible. What I cannot do, of course I will not do; but it may as well be understood, once for all, that I shall not surrender this game leaving any available card unplayed.

Reverdy Johnson himself.

Lincoln to Johnson, July 26, 1862. MS.

Two days later to a citizen of Louisiana he sent another letter, full of phrases quite as positive and significant. He wrote:

Mr. Durant complains that in various ways the relation of master and slave is disturbed by the presence of our army, and he considers it particularly vexatious that this, in part, is done under cover of an act of Congress, while constitutional guaranties are suspended on the plea of military necessity. The truth is, that what is done and omitted about slaves is done and omitted on the same military necessity. It is a military necessity to have men and money; and we can get neither, in sufficient numbers or amounts, if we keep from, or drive from, our lines slaves coming to them. . . He speaks of no duty — apparently thinks of none — resting upon Union men. He even thinks it injurious to the Union cause that they should be restrained in trade and passage without taking sides. They are to touch neither a sail nor a pump, but to be merely passengers,— dead-heads at that,— to be carried snug and dry throughout the storm, and safely landed, right side up. Nay, more: even a mutineer is to go untouched, lest these sacred passengers receive an accidental wound. Of course the rebellion will never be suppressed in Louisiana if the professed Union men there will neither help to do it nor permit the Government to

do it without their help. Now, I think the true remedy is very different from what is suggested by Mr. Durant. It does not lie in rounding the rough angles of the war, but in removing the necessity for the war. . . If they will not do this, if they prefer to hazard all for the sake of destroying the Government, it is for them to consider whether it is probable I will surrender the Government to save them from losing all. If they decline what I suggest, you scarcely need to ask what I will do. What would you do in my position? Would you drop the war where it is? Or would you prosecute it in future with elder-stalk squirts charged with rose water? Would you deal lighter blows rather than heavier ones? Would you give up the contest, leaving any available means unapplied? I am in no boastful mood. I shall not do more than I can, and I shall do all I can to save the Government, which is my sworn duty as well as my personal inclination. I shall do nothing in malice. What I deal with is too vast for malicious dealing.[1]

In these two letters the President's reproof was addressed to conservatives to correct ill-timed complaints that the interests of slaveholders were allowed to suffer in the rude necessities of military operations and administration. But complaints equally unreasonable were assailing him from the other side. Mr. Greeley of the "New-York Tribune" was criticizing the President for exactly the alleged fault of not doing more of that which had brought these complaints from Louisiana. In his paper of August 20 he addressed a long open letter to Mr. Lincoln, accusing him of failure to execute the Confiscation Act, of "mistaken deference to rebel slavery," and alleging that he was "unduly influenced by the counsels, the representations, the menaces, of certain fossil politicians hailing from

1 Lincoln to Bullitt, July 28, 1862. MS.; also incorrectly printed in several works.

CHAP. VIII. the border slave States." "We complain," he continued, "that a large proportion of our regular army officers, with many of the volunteers, evince far more solicitude to uphold slavery than to put down the Rebellion." These phrases are samples of two columns or more of equally unjust censure. Mr. Lincoln always sought, and generally with success, to turn a dilemma into an advantage; and shrewdly seizing the opportunity which Mr. Greeley had created, he in turn addressed him the following open letter through the newspapers in reply, by which he not merely warded off his present personal accusation, but skilfully laid the foundation in public sentiment for the very radical step he was about to take on the slavery question:

EXECUTIVE MANSION,
WASHINGTON, August 22, 1862.

HON. HORACE GREELEY,

DEAR SIR: I have just read yours of the 19th, addressed to myself through the "New-York Tribune." If there be in it any statements, or assumptions of fact, which I may know to be erroneous, I do not, now and here, controvert them. If there be in it any inferences which I may believe to be falsely drawn, I do not, now and here, argue against them. If there be perceptible in it an impatient and dictatorial tone, I waive it in deference to an old friend, whose heart I have always supposed to be right. As to the policy I "seem to be pursuing," as you say, I have not meant to leave any one in doubt. I would save the Union. I would save it the shortest way under the Constitution. The sooner the national authority can be restored, the nearer the Union will be "the Union as it was."[1] If there be those who would

[1] This letter was first printed in the "National Intelligencer" of August 23, 1862. As originally written it contained after the words, "the Union as it was," the phrase, "Broken eggs can never be mended, and the longer the breaking proceeds the more will be broken," which "was erased, with some reluctance, by

not save the Union unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union. I shall do less whenever I shall believe what I am doing hurts the cause, and I shall do more whenever I shall believe doing more will help the cause. I shall try to correct errors when shown to be errors, and I shall adopt new views so fast as they shall appear to be true views. I have here stated my purpose according to my view of official duty; and I intend no modification of my oft-expressed personal wish that all men everywhere could be free. Yours, A. LINCOLN.

When Mr. Lincoln wrote the foregoing letter the defeat of General Pope at the second battle of Bull Run had not yet taken place; on the contrary, every probability pointed to an easy victory for the Union troops in the battle which was plainly seen to be impending. We may therefore infer that he hoped soon to be able to supplement the above declarations by issuing his postponed proclamation, which would give the country knowledge of his final designs respecting the slavery question. But instead of the expected victory came a sad and demoralizing defeat, which prolonged, instead of

the President, on the representation, made to him by the editors, that it seemed somewhat exceptionable, on rhetorical grounds, in a paper of such dignity."—James C. Welling, in "North American Review," February, 1880, p. 168.

CHAP. VIII. shortening, the anxiety and uncertainty hanging over the intentions of the Administration. Under this enforced necessity for further postponement of his fixed purpose, in addition to his many other perplexities, the President grew sensitive and even irritable upon this point. He was by nature so frank and direct, he was so conscientious in all his official responsibilities, that he made the complaints and implied reproaches of even his humblest petitioner his own. The severe impartiality of his self-judgment sometimes became almost a feeling of self-accusation, from which he found relief only by a most searching analysis of his own motives in self-justification.

1862. In the period under review this state of feeling was several times manifested. Individuals and delegations came to him to urge one side or the other of a decision, which, though already made in his own mind, forced upon him a reëxamination of its justness and its possibilities for good or evil. Imperceptibly these mental processes became a species of self-torment, and well-meaning inquirers or advisers affected his overstrung nerves like so many persecuting inquisitors. A phlegmatic nature would have turned them away in sullen silence, or at most with an evasive commonplace. But Lincoln felt himself under compulsion, which he could not resist, to state somewhat precisely the difficulties and perplexities under which he was acting, or, rather, apparently refusing to act; and in such statements his public argument, upon hypothesis assumed for illustration, was liable to outrun his private conclusion upon facts which had controlled his judgment. It is in the light of this mental con-

dition that we must judge the well-known reply made by him on the 13th of September to a deputation from the religious denominations of Chicago, requesting him to issue at once a proclamation of universal emancipation. He said: CHAP. VIII. 1862.

The subject presented in the memorial is one upon which I have thought much for weeks past, and I may even say for months. I am approached with the most opposite opinions and advice, and that by religious men, who are equally certain that they represent the Divine will. I am sure that either the one or the other class is mistaken in that belief, and perhaps in some respects both. I hope it will not be irreverent for me to say that if it is probable that God would reveal his will to others, on a point so connected with my duty, it might be supposed he would reveal it directly to me; for, unless I am more deceived in myself than I often am, it is my earnest desire to know the will of Providence in this matter. And if I can learn what it is, I will do it. These are not, however, the days of miracles, and I suppose it will be granted that I am not to expect a direct revelation. I must study the plain physical facts of the case, ascertain what is possible, and learn what appears to be wise and right. . . What good would a proclamation of emancipation from me do, especially as we are now situated? I do not want to issue a document that the whole world will see must necessarily be inoperative, like the Pope's bull against the comet. Would my word free the slaves, when I cannot even enforce the Constitution in the rebel States? Is there a single court, or magistrate, or individual that would be influenced by it there? And what reason is there to think it would have any greater effect upon the slaves than the late law of Congress, which I approved, and which offers protection and freedom to the slaves of rebel masters who come within our lines? Yet I cannot learn that that law has caused a single slave to come over to us. . . Now, then, tell me, if you please, what possible result of good would follow the issuing of such a proclamation as you desire? Understand, I raise no objections against it on legal or constitutional grounds, for, as Commander-in-

CHAP. VIII. Chief of the Army and Navy, in time of war I suppose I have a right to take any measure which may best subdue the enemy; nor do I urge objections of a moral nature, in view of possible consequences of insurrection and massacre at the South. I view this matter as a practical war measure, to be decided on according to the advantages or disadvantages it may offer to the suppression of the Rebellion. . . Do not misunderstand me because I have mentioned these objections. They indicate the difficulties that have thus far prevented my action in some such way as you desire. I have not decided against a proclamation of liberty to the slaves, but hold the matter under advisement. And I can assure you that the subject is on my mind, by day and night, more than any other. Whatever shall appear to be God's will, I will do. I trust that in the freedom with which I have canvassed your views I have not in any respect injured your feelings.

"Chicago Tribune," Sept. 23, 1862, and "National Intelligencer," Sept. 26, 1862.

This interview of the Chicago delegation with the President lasted more than an hour, during which a long memorial was read, interspersed with much discursive conversation and interchange of questions and replies. The report of his remarks, which was written out and published by the delegation after their return home, is not a verbatim reproduction, but merely a condensed abstract of what was said on the occasion. Much adverse criticism has been indulged in because of his assumed declaration that an emancipation proclamation would be as inoperative as "the Pope's bull against the comet," and that he nevertheless issued so preposterous a document within two weeks after the interview. The error lies in the assumption that his words were literally reported. To measure rightly his utterance as a whole, the conditions under which the interview occurred must continually be kept in mind. The Administration and the country

were still in the shadow of the great disasters of the Peninsula and of the second Bull Run. With corresponding elation the rebels had taken the aggressive and crossed the Potomac to invade Maryland. A new campaign was opening, and a new battle-cloud was gathering. Whether victory or fresh defeat was enfolded in its gloom was a question of uncertainty and of fearful anxiety to the President, straining his thought and imagination to an abnormal and almost unendurable tension. CHAP. VIII

It was at such a moment that the Chicago delegation had appeared with a repetition of a request which seemed to him inopportune. Habitually open and patient to every appeal, he was nevertheless becoming restive under the unremitting and unreasoning pressure regarding this single point. Could no one exercise patience but himself? Could antislavery people not realize and rest content with the undreamed-of progress their cause had already made — slavery abolished in the District of Columbia, the Territories restored to freedom, almost wholesale emancipation provided through the Confiscation Act? Had he not aided these measures, signed these laws, ordered their enforcement; and was he not, day and night, laboring to secure compensated emancipation in the border States? Had he not the very proclamation they sought lying written in his desk, waiting only the favorable moment when he might announce it? Why must they push him to the wall, and compel him to an avowal which might blight the ripening public sentiment and imperil the desired consummation? We may infer that with some such feelings he listened to the dogmatic memorial of the delegation,

CHAP. VIII. for his whole answer is in the nature of a friendly protest and polite rebuke against their impolitic urgency; and the impressive rhetorical figure he employs was not intended to foreshadow his decision, but to illustrate the absurdity of attempting to pluck the fruit before it was ripe. The great pith and point of the interview is his strong and unqualified declaration that he held the subject under advisement, and that he regarded his military authority as clear and ample. He said: "Understand, I raise no objections against it on legal or constitutional grounds, for, as Commander-in-Chief of the Army and Navy, in time of war I suppose I have a right to take any measure which may best subdue the enemy."

1862. Three days after this interview the battle of Antietam was begun, which resulted in a victory for the Union forces. The events of war had abruptly changed political conditions, and the President seized the earliest possible opportunity to announce the policy which he had decided upon exactly two months before. His manner and language on this momentous occasion have been minutely recorded in the diaries of two members of the Cabinet, and liberal quotations from both will form the most valuable historical presentation of the event that can be made. The diary of Secretary Chase reads as follows:

MONDAY, Sept. 22, 1862.

To Department about nine. State Department messenger came with notice to heads of Departments to meet at twelve. Received sundry callers. Went to the White House. All the members of the Cabinet were in attendance. There was some general talk, and the President mentioned that Artemus Ward had sent him his book. Proposed to read a chapter which he thought very funny.

Read it, and seemed to enjoy it very much; the heads also (except Stanton), of course. The chapter was "High-handed Outrage at Utica." The President then took a graver tone, and said, "Gentlemen: I have, as you are aware, thought a great deal about the relation of this war to slavery; and you all remember that, several weeks ago, I read to you an order I had prepared on this subject, which, on account of objections made by some of you, was not issued. Ever since then my mind has been much occupied with this subject, and I have thought, all along, that the time for acting on it might probably come. I think the time has come now. I wish it was a better time. I wish that we were in a better condition. The action of the army against the rebels has not been quite what I should have best liked. But they have been driven out of Maryland, and Pennsylvania is no longer in danger of invasion. When the rebel army was at Frederick, I determined, as soon as it should be driven out of Maryland, to issue a proclamation of emancipation, such as I thought most likely to be useful. I said nothing to any one, but I made the promise to myself and (hesitating a little) to my Maker. The rebel army is now driven out, and I am going to fulfill that promise. I have got you together to hear what I have written down. I do not wish your advice about the main matter, for that I have determined for myself. This I say without intending anything but respect for any one of you. But I already know the views of each on this question. They have been heretofore expressed, and I have considered them as thoroughly and carefully as I can. What I have written is that which my reflections have determined me to say. If there is anything in the expressions I use, or in any minor matter, which any one of you thinks had best be changed, I shall be glad to receive the suggestions. One other observation I will make. I know very well that many others might, in this matter as in others, do better than I can; and if I was satisfied that the public confidence was more fully possessed by any one of them than by me, and knew of any constitutional way in which he could be put in my place, he should have it. I would gladly yield it to him. But, though I believe that I have not so much of the confidence of the people as I had some

CHAP. VIII. time since, I do not know that, all things considered, any other person has more; and, however this may be, there is no way in which I can have any other man put where I am. I am here; I must do the best I can, and bear the responsibility of taking the course which I feel I ought to take."

Warden, "Life of S. P. Chase," pp. 481, 482.

The foregoing account written by Mr. Chase is fully corroborated by the following extract from the diary of Secretary Welles, in which the same event is described:

1862. SEPTEMBER 22.

A special Cabinet meeting. The subject was the proclamation for emancipating the slaves, after a certain date, in States that shall then be in rebellion. For several weeks the subject has been suspended, but the President says never lost sight of. When it was submitted, and now in taking up the proclamation, the President stated that the question was finally decided,—the act and the consequences were his,— but that he felt it due to us to make us acquainted with the fact and to invite criticisms on the paper which he had prepared. There were, he had found, not unexpectedly, some differences in the Cabinet; but he had, after ascertaining in his own way the views of each and all, individually and collectively, formed his own conclusions and made his own decisions. In the course of the discussion on this paper, which was long, earnest, and, on the general principle involved, harmonious, he remarked that he had made a vow — a covenant — that if God gave us the victory in the approaching battle, he would consider it an indication of Divine will, and that it was duty to move forward in the cause of emancipation. It might be thought strange, he said, that he had in this way submitted the disposal of matters when the way was not clear to his mind what he should do. God had decided this question in favor of the slaves. He was satisfied it was right — was confirmed and strengthened in his action by the vow and the results. His mind was fixed, his decision made, but he wished his paper announcing his course as correct in terms as it could be made without any change in his determination.

Welles, Diary. MS.

GEORGE S. BOUTWELL.

In addition to its record of the President's language, the diary of Secretary Chase proceeds with the following account of what was said by several members of the Cabinet: CHAP. VIII.

The President then proceeded to read his Emancipation Proclamation, making remarks on the several parts as he went on, and showing that he had fully considered the whole subject, in all the lights under which it had been presented to him. After he had closed, Governor Seward said: "The general question having been decided, nothing can be said farther about that. Would it not, however, make the proclamation more clear and decided to leave out all reference to the act being sustained during the incumbency of the present President; and not merely say that the Government 'recognizes,' but that it will maintain, the freedom it proclaims?" I followed, saying: "What you have said, Mr. President, fully satisfies me that you have given to every proposition which has been made a kind and candid consideration. And you have now expressed the conclusion to which you have arrived clearly and distinctly. This it was your right, and, under your oath of office, your duty to do. The proclamation does not, indeed, mark out exactly the course I would myself prefer. But I am ready to take it just as it is written, and to stand by it with all my heart. I think, however, the suggestions of Governor Seward very judicious, and shall be glad to have them adopted." The President then asked us severally our opinions as to the modification proposed, saying that he did not care much about the phrases he had used. Every one favored the modification, and it was adopted. Governor Seward then proposed that in the passage relating to colonization some language should be introduced to show that the colonization proposed was to be only with the consent of the colonists and the consent of the States in which colonies might be attempted. This, too, was agreed to, and no other modification was proposed. Mr. Blair then said that, the question having been decided, he would make no objection to issuing the proclamation; but he would ask to have his paper, presented some days since,

CHAP. VIII.

against the policy, filed with the proclamation.[1] The President consented to this readily. And then Mr. Blair went on to say that he was afraid of the influence of the proclamation on the border States and on the army, and stated, at some length, the grounds of his apprehensions. He disclaimed most expressly, however, all objection to emancipation *per se*, saying he had always been personally in favor of it — always ready for immediate emancipation in the midst of slave States, rather than submit to the perpetuation of the system.

Warden, "Life of S. P. Chase," p. 482.

The statement of Mr. Welles which relates the Cabinet proceedings is as follows:

All listened with profound attention to the reading, and it was, I believe, assented to by every member. Mr. Bates repeated the opinions he had previously expressed in regard to the deportation of the colored race. Mr. Seward proposed two slight verbal alterations, which were adopted. A general discussion then took place, covering the whole ground — the constitutional question, the war power, the expediency, and the effect of the movement. After the matter had been very fully debated, Mr. Stanton made a very emphatic speech sustaining the measure, and in closing said the act was so important, and involved consequences so vast, that he hoped each member would give distinctly and unequivocally his own individual opinion, whatever that opinion might be. Two gentlemen, he thought, had not been sufficiently explicit, although they had discussed the question freely, and it was understood that they concurred in the measure. He referred, he said, to the Secretary of the Treasury and (hesitating a moment) the Secretary of the Navy. It was understood, I believe, by all present that he had allusion to another member, with whom he

[1] Hay's Diary (MS.) contains the following record: "September 23, 1862. The President rewrote the proclamation on Sunday morning carefully. He called the Cabinet together on Monday, made a little talk to them, and read the momentous document. Mr. Blair and Mr. Bates made slight objections; otherwise the Cabinet was unanimous. The next day Mr. Blair, who had promised to file his objections, sent a note stating that as they referred only to the time of the act, he would not file them, lest they should be subject to misconstruction."

was not in full accord. Mr. Chase admitted that the subject had come upon him unexpectedly and with some surprise. It was going a step further than he had ever proposed, but he was prepared to accept and support it. He was glad the President had made this advance, which he should sustain from his heart, and he proceeded to make an able impromptu argument in its favor. I stated that the President did not misunderstand my position, nor any other member; that I assented most unequivocally to the measure as a war necessity, and had acted upon it. Mr. Blair took occasion to say that he was an emancipationist from principle; that he had for years, here and in Missouri, where he formerly resided, openly advocated it; but he had doubts of the expediency of this executive action at this particular juncture. We ought not, he thought, to put in jeopardy the patriotic element in the border States, already severely tried. This proclamation would, as soon as it reached them, be likely to carry over those States to the secessionists. There were also party men in the free States who were striving to revive old party lines and distinctions, into whose hand we were putting a club to be used against us. The measure he approved, but the time was inopportune. He should wish, therefore, to file his objections. This, the President said, Mr. Blair could do. He had, however, considered the danger to be apprehended from the first objection mentioned, which was undoubtedly serious, but the difficulty was as great not to act as to act. There were two sides to that question. For months he had labored to get those States to move in this matter, convinced in his own mind that it was their true interest to do so, but his labors were vain. We must make the forward movement. They would acquiesce, if not immediately, soon; for they must be satisfied that slavery had received its death-blow from slave-owners — it could not survive the rebellion. As regarded the other objection, it had not much weight with him; their clubs would be used against us take what course we might.

Welles in "Galaxy," Dec., 1872, pp. 846, 847

The Cabinet discussion of the proclamation being completed, Mr. Seward carried the document with

CHAP. VIII. him to the State Department, where the formal phraseology of attestation and the great seal were added. The President signed it the same afternoon, and it was published in full by the leading newspapers of the country on the morning of September 23. As elsewhere, the reading of the official announcement created a profound interest in Washington, and a serenade was organized the next evening, which came to the Executive Mansion and called on the President for a speech. His reference to the great event was very brief. He said:

Sept. 22, 1862.

> I appear before you to do little more than acknowledge the courtesy you pay me, and to thank you for it. I have not been distinctly informed why it is that on this occasion you appear to do me this honor, though I suppose it is because of the proclamation. What I did, I did after a very full deliberation, and under a very heavy and solemn sense of responsibility. I can only trust in God I have made no mistake. I shall make no attempt on this occasion to sustain what I have done or said by any comment. It is now for the country and the world to pass judgment, and may be take action upon it.

Sept. 24, 1862.

Two days after the proclamation was issued a number of the governors of loyal States met for conference at Altoona, Pennsylvania; and it was charged at the time that this occurrence had some occult relation to the President's action. There was no truth whatever in the allegation. It was directly contradicted by the President himself. He said to the Hon. George S. Boutwell, who mentioned the rumor to him a few weeks after the occurrence: "I never thought of the meeting of the governors; the truth is just this: When Lee came over the river, I made a resolution that if McClellan drove him back I would send the proclamation after him. The

battle of Antietam was fought Wednesday, and until Saturday I could not find out whether we had gained a victory or lost a battle. It was then too late to issue the proclamation that day; and the fact is I fixed it up a little Sunday, and Monday I let them have it."

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Boutwell, "The Lawyer, the Statesman, and the Soldier," pp. 116, 117.

The collateral evidence is also conclusive on this point. The Altoona meeting originated with Governor Curtin of Pennsylvania, who, warned that Lee's army was about to cross the Potomac, was with all diligence preparing his State to resist the expected invasion. On the 6th of September he telegraphed to the Governor of Massachusetts and others: "In the present emergency, would it not be well that the loyal governors should meet at some point in the border States to take measures for the more active support of the Government?"

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Receiving favorable replies, the Governors of Pennsylvania, Ohio, and West Virginia united in a joint invitation, under date of September 14, for such a meeting to be held at Altoona on the 24th. The object was simply to consult on the best means of common defense and the vigorous prosecution of the war. There was no design to organize any pressure upon the President, either about the question of slavery or about the removal of McClellan from command, and the President neither anticipated nor feared such interference. Several members of the body, differing in political sentiment, indignantly denied the accusation of a political plot, which, indeed, would have been impossible in a gathering of men of such strong individual traits, holding diverse views, and clothed with greatly varying interests and responsibilities.

CHAP. VIII. The Proclamation of Emancipation was as great a surprise to them as to the general public, gratifying some and displeasing others. It was not strange that it should immediately engage their eager interest and call out some sort of joint response. The proclamation had been printed on the
Sept., 1862. 23d; the Altoona gathering was called on the 14th and held on the 24th. Between the date of the call and the day of the meeting the military situation was altogether changed. The battle of Antietam had driven Lee's army in retreat back across the Potomac. Instead of emergency measures for defense, the assembled Governors could now quietly discuss points of general and mutual interest, relating to the recruiting, organization, equipment, and transportation of troops, the granting of furloughs, and the care and removal of the sick and wounded. Their conference passed in entire harmony; and a day or two later they nearly all proceeded to Washington for an interview with the President and the Secretary of War.

They presented a written address to the President, signed then and within a few days afterwards by the Governors of sixteen of the free States and the Governor of West Virginia, reiterating devotion to the Union, loyalty to the Constitution and laws, and earnest support to the President in suppressing rebellion; and embracing only the single specific recommendation that a reserve army of 100,000 men ought constantly to be kept on foot, to be raised, armed, equipped, and trained at home, ready for emergencies. The written address also contained a hearty indorsement of the new emancipation policy announced in the President's proclamation.

This declaration, as was to have been expected, developed the only antagonism of views which grew out of the whole transaction. The address was written at Washington, and therefore was not discussed at Altoona. Properly speaking, it was the supplementary action of only a portion of the assembled delegates. It was, however, transmitted for signature to all the loyal executives; but the Governors of the States of New Jersey, Delaware, Maryland, Kentucky, and Missouri replied, that while concurring in the other declarations of the address, they declined signing it, because they dissented from that portion of it which indorsed the Proclamation of Emancipation.

Coming as it did immediately after the announcement of his new policy, President Lincoln could not but be gratified at the public declaration emanating from the Altoona meeting. On his military policy it assured him of the continuation of a unanimous official support. On his emancipation policy it gave him a public approval from the official power of seventeen States, as against the dissent of only five States of the border, where indeed he had no reason to expect, for the present at least, any more favorable official sentiment. Nevertheless, it did not free the experiment from uncertainty and danger. It was precisely this balance of power, political and military, wielded by these hesitating border States, which was essential to the success of the Union cause; but he had measured the probability with an acuteness of judgment and timed his proceeding with a prudence of action that merited success, and in due time triumphantly justified his faith. Every

CHAP. VIII. thoughtful reader will have more than a passing curiosity to examine the exact phraseology of a document which ushered in the great political regeneration of the American people. It reads as follows:

I, Abraham Lincoln, President of the United States of America, and Commander-in-Chief of the Army and Navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relations between the United States and each of the States and the people thereof, in which States that relation is or may be suspended or disturbed. That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure, tendering pecuniary aid to the free acceptance or rejection of all the slave States, so-called, the people whereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntarily adopt, the immediate or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent, with their consent, upon this continent or elsewhere, with the previously obtained consent of the governments existing there, will be continued. That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State, or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom. That the Executive will, on the first day of January aforesaid, by proclamation, designate the States, or parts of States if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof,

shall, on that day, be in good faith represented in the Congress of the United States by members chosen thereto at elections, wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States.

Then, after reciting the language of "An act to make an additional article of war," approved March 13, 1862, and also sections nine and ten of the Confiscation Act, approved July 17, 1862, and enjoining their enforcement upon all persons in the military and naval service, the proclamation concludes:

And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey, and enforce, within their respective spheres of service, the acts and sections above recited. And the Executive will, in due time, recommend that all citizens of the United States, who shall have remained loyal thereto throughout the rebellion, shall, upon the restoration of the constitutional relations between the United States and the people, if that relation shall have been suspended or disturbed, be compensated for all losses by acts of the United States, including the loss of slaves.

A careful reading and analysis of the document shows it to have contained four leading propositions: (1) A renewal of the plan of compensated abolishment. (2) A continuance of the effort at voluntary colonization. (3) The announcement of peremptory military emancipation of all slaves in States in rebellion at the expiration of the warning notice. (4) A promise to recommend ultimate compensation to loyal owners.

The political test of the experiment of military emancipation thus announced by the President

CHAP. VIII. came almost immediately in the autumn elections for State officers and State Legislatures, and especially for Representatives to the thirty-eighth Congress. The decided failure of McClellan's Richmond campaign and the inaction of the Western army had already produced much popular discontent, which was only partly relieved by the victory of Antietam. The canvass had been inaugurated by the Democratic party with violent protests against the antislavery legislation of Congress, and it now added the loud outcry that the Administration had changed the war for the Union to a war for abolition. The party conflict became active and bitter, and the Democrats, having all the advantage of an aggressive issue, made great popular gains, not only throughout the middle belt of States, but in New York, where they elected their Governor, thus gaining control of the executive machinery, which greatly embarrassed the Administration in its later measures to maintain the army. The number of Democrats in the House of Representatives was increased from forty-four to seventy-five, and the reaction threatened for a time to deprive Mr. Lincoln of the support of the House.

But against this temporary adverse political current the leaders of the bulk of the Republican party followed Mr. Lincoln with loyal adhesion, accepting and defending his emancipation policy with earnestness and enthusiasm. In his annual message of December 1, 1862, the President did not discuss his Emancipation Proclamation, but renewed and made an elaborate argument to recommend his plan of compensated abolishment, "not in exclusion of, but additional to, all others for restor-

ing and preserving the national authority throughout the Union." Meanwhile the Democratic minority in the House, joined by the pro-slavery conservatives from the border slave States, lost no opportunity to oppose emancipation in every form. On the 11th of December Representative George H. Yeaman of Kentucky offered resolutions declaring the President's proclamation unwarranted by the Constitution and a useless and dangerous war measure. But these propositions were only supported by a vote of forty-five, while they were promptly laid on the table by a vote of ninety-four members. The Republicans were unwilling to remain in this attitude of giving emancipation a merely negative support. A few days later (December 15), Representative S. C. Fessenden of Maine put the identical phraseology in an affirmative form, and by a test vote of seventy-eight to fifty-one the House resolved:

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"Globe," Dec. 11, 1862, p. 76.

> That the proclamation of the President of the United States, of the date of 22d September, 1862, is warranted by the Constitution, and that the policy of emancipation, as indicated in that proclamation, is well adapted to hasten the restoration of peace, was well chosen as a war measure, and is an exercise of power with proper regard for the rights of the States and the perpetuity of free government.

"Globe," Dec. 15, 1862, p. 92.

With the proclamation thus heartily indorsed by nearly every free State governor and nearly two-thirds of the loyal Representatives, Mr. Lincoln, who had accurately foreseen the danger as well as the benefits of the critical step he had taken, could well afford to wait for the full tide of approval, for

CHAP. VIII. which he looked with confidence and which came to him from that time onward with steadiness and ever-growing volume, both from the armies in the field and the people in their homes throughout the loyal North.

CHAPTER IX

THE REMOVAL OF McCLELLAN

THE latter part of September wore away in resting the exhausted Army of the Potomac, and beginning anew the endless work of equipment and supply — work which from the nature of the case can never be finished in an army of 200,000 any more than in a city of the same size. But this was a lesson which McClellan appeared never able to learn. So long as a single brigade commander complained that some of his men needed new shoes it seemed impossible for him to undertake active operations until that special want was supplied. When that was done some company of cavalry was short a few horses, and the vicious circle of importunate demand and slow supply continued forever. On the 23d of September General McClellan discovered symptoms of heavy reënforcements moving towards the enemy from Winchester and Charlestown. The fact of the enemy remaining so long in his front instead of appearing to him as a renewed opportunity only excited in him the apprehension that he would be again attacked. He therefore set up a new clamor for reënforcements. "A defeat

W. R. Vol. XIX., Part I., p. 70; Part II., p. 346.

CHAP. IX. at this juncture would be ruinous to our cause. . . General Sumner with his corps and Williams's (Banks's) occupy Harper's Ferry and the surrounding heights. I think," is the doleful plaint with which the dispatch closes, "he will be able to hold his position till reënforcements arrive." Four days afterwards he writes again in the same strain: "This army is not now in condition to undertake another campaign. . . My present purpose is to hold the army about as it is now, rendering Harper's Ferry secure and watching the river closely, intending to attack the enemy should he attempt to cross to this side." He is full of apprehension in regard to an attack upon Maryland and prays that the river may rise so that the enemy may not cross.

W. R. Vol. XIX., Part I., p. 70.

Ibid., pp. 70, 71.

The President, sick at heart at this delay, resolved at the end of the month to make a visit to McClellan's camp to see if in a personal interview he could not inspire him with some sense of the necessity of action. The morning report of the 30th of September showed the enormous aggregate of the Army of the Potomac, present and absent, including Banks's command in Washington, of 303,959; of this 101,756 were absent, 28,458 on special duty, and 73,601 present for duty in Banks's command, leaving 100,144 men present for duty under McClellan's immediate command. This vast multitude in arms was visited by the President in the first days of October. So far as he could see, it was a great army ready for any work that could be asked of it. During all his visit he urged, with as much energy as was consistent with his habitual courtesy, the necessity of an immediate

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W. R. Vol. XIX., Part II., p. 374.

employment of this force.[1] McClellan met all his suggestions and entreaties with an amiable inertia, which deeply discouraged the President. After a day and a night spent in such an interchange of views he left his tent early in the morning and walked with a friend[2] to an eminence which commanded a view of a great part of the camp. For miles beneath them spread the white tents of the mighty hosts glistening in the rising sun. Mr. Lincoln gazed for a while in silence upon the scene, then turned to his friend and said: "Do you know what this is?" He answered in some astonishment, "It is the Army of the Potomac." "So it is called," responded the President; "but that is a mistake; it is only McClellan's bodyguard." He went back to Washington taking little comfort from his visit, and after a few days of painful deliberation, getting no news of any movement, he sent McClellan the following positive instructions:

WASHINGTON, D. C., October 6, 1862.

MAJOR-GENERAL McCLELLAN: I am instructed to telegraph you as follows: The President directs that you cross the Potomac and give battle to the enemy or drive him South. Your army must move now while the roads are good. If you cross the river between the enemy and Washington and cover the latter by your operation you can be reënforced with thirty thousand men. If you move up the Valley of the Shenandoah, not more than 12,000

[1] In his "Own Story" McClellan tries to create the impression (p. 627) that the President was satisfied with his delay at this time; but his private letters printed in the same volume leave no doubt of the contrary. He says (p. 654), referring to the President's visit, October 2d, "His ostensible purpose is to see the troops and the battlefield; I incline to think that the real purpose of his visit is to push me into a premature advance into Virginia."

[2] The Hon. O. M. Hatch of Illinois, from whom we have this story.

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or 15,000 can be sent to you. The President advises the interior line, between Washington and the enemy, but does not order it. He is very desirous that your army move as soon as possible. You will immediately report what line you adopt and when you intend to cross the river; also to what point the reënforcements are to be sent. It is necessary that the plan of your operations be positively determined on before orders are given for building bridges and repairing railroads. I am directed to add that the Secretary of War and the General-in-Chief fully concur with the President in these instructions.

W. R. Vol. XIX., Part I., p. 72.

H. W. HALLECK, General-in-Chief.

Oct. 10, 1862.

These orders were emphasized a few days later by a repetition of the same stinging insult which Lee had once before inflicted upon McClellan on the Peninsula. Stuart's cavalry crossed the Potomac, rode entirely around the Union army, recrossing the river lower down, and joining Lee again without damage. McClellan seems to have felt no mortification from this disgraceful occurrence, which he used merely as a pretext for new complaints against the Government. He seemed to think that he had presented a satisfactory excuse for his inefficiency when he reported to Halleck that his cavalry had "marched 78 miles in 24 hours" while Stuart's was marching 90. He pretended that he had at the time only a thousand cavalry. This led to a remarkable correspondence between him and the Government which shows the waste and destruction of military material under McClellan. By the reports from the Quartermaster-General's office, there were sent to the Army of the Potomac, during the six weeks ending October 14, 10,254 horses and a very large number of mules. "The cost of the horses issued within the last six

W. R. Vol. XIX., Part I., p. 73.

W. R. Vol. XIX., Part II., pp. 421, 422.

WILLIAM SPRAGUE.

WILLIAM DENNISON.

weeks to the Army of the Potomac," says General Meigs, "is probably not less than $1,200,000." We may well ask in the words used by the Quartermaster-General in another place: "Is there an instance on record of such a drain and destruction of horses in a country not a desert?" Day after day the tedious controversy went on. This frightful waste of horses was turned by McClellan, as he turned everything, into a subject of reproach against the Government. To one of his complaining dispatches the President sent this sharp rejoinder: "Will you pardon me for asking what the horses of your army have done since the battle of Antietam that fatigues anything?" And again: "Stuart's cavalry outmarched ours, having certainly done more marked service on the Peninsula and everywhere since." These dispatches elicited only new complaints, vindications, and explanations.

Meigs to Stanton, Oct. 14, 1862. W. R. Vol. XIX., Part II., p. 423.

W. R. Vol. XIX., Part I., p. 15.

W. R. Vol. XIX., Part II., p. 485.

Ibid., p. 490.

It was not alone the pretended lack of horses which kept him idle. In his dispatches to Washington he continually complained, and the complaint was echoed by his adherents, that the army was unable to improve the fine weather on account of the deficiency of all manner of supplies.[1] The Secretary of War, thinking it necessary at last to take notice of this widespread rumor, addressed a letter to the General-in-Chief demanding a report upon the subject. General Halleck reported that

Oct. 27, 1862. W. R. Vol. XIX., Part I., p. 7.

[1] This mania of General McClellan for providing camp material sometimes assumed an almost ludicrous form. It suddenly occurred to him on the 7th of October to telegraph to the Quartermaster-General asking how long it would take to give him three or four thousand hospital tents. Meigs answered that a sufficient supply had already been sent him, and that to provide the additional number he spoke of would take a long time and half a million dollars.—W. R. Vol. XIX., Part II., p. 396.

CHAP. IX. on several occasions when General McClellan had telegraphed that his army was deficient in certain supplies, it was ascertained that in every instance the requisition had been immediately filled, except in one, where the Quartermaster-General was forced to send to Philadelphia for the articles needed. He reported that there had been no neglect or delay in issuing all the supplies asked for, and added his belief "that no armies in the world, while in campaign, have been more promptly or better supplied than ours." The General-in-Chief further reported that there had been no such want of supplies as to prevent General McClellan's compliance with the orders issued four weeks before, to advance against the enemy; that "had he moved to the south side of the Potomac he could have received his supplies almost as readily as by remaining inactive on the north side." He then goes at some length into a detailed and categorical contradiction of General McClellan's complaining dispatches. But we need not go outside of the General's own staff for a direct denial of his accusations. General Rufus Ingalls, the Chief Quartermaster of the Army of the Potomac, makes this just and sensible statement in a letter to the Quartermaster-General dated the 26th of October:

W. R. Vol. XIX., Part I., pp. 8, 9.

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> I have seen no real suffering for want of clothing, and do not believe there has been any, only where it can be laid directly to the charge of regimental and brigade commanders and their quartermasters, and I have labored, I hope with some effect, in trying to instruct them. I have frequently remarked that an army will never move if it waits until all the different commanders report that they are ready and want no more supplies. It has been

W. R. Vol. XIX., Part II., pp. 492, 493.

my pride to know the fact that no army was ever more perfectly supplied than this has been as a general rule." CHAP. IX.

The President, weary of the controversy, at last replied: "Most certainly I intend no injustice to any, and if I have done any I deeply regret it. To be told, after more than five weeks' total inaction of the army, and during which period we have sent to the army every fresh horse we possibly could, amounting in the whole to 7,918,[1] that the cavalry horses were too much fatigued to move, presents a very cheerless, almost hopeless, prospect for the future, and it may have forced something of impatience in my dispatch. If not recruited and rested then, when could they ever be?" W. R. Vol. XIX., Part II., p. 496.

General Halleck, in a letter of the 7th of October, had urged McClellan to follow and seek to punish the enemy. He said: "There is a decided want of legs in our troops. They have too much immobility, and we must try to remedy the defect. A reduction of baggage and baggage trains will effect something; but the real difficulty is, they are not sufficiently exercised in marching; they lie still in camp too long. After a hard march, one day is time enough to rest. Lying still beyond that time does not rest the men." Ibid., p. 395.

The President's Proclamation of Emancipation had been promulgated to the army in general orders on the 24th of September. It will be remembered 1862. that General McClellan, in his manifesto from Harrison's Landing, had admonished the President against any such action. His subsequent negotiations with the Democratic politicians in the North had not tended to make him any more favorably

[1] It was really much more than this.

CHAP. IX. disposed towards such radical action. His first impulse was to range himself openly against the Proclamation. We are informed by General W. F. Smith that McClellan prepared a protest against it, which he read to some of his intimate friends in the army. The advice of Smith, and perhaps others, induced him not to commit so fatal a breach of discipline. For a moment he thought of throwing up his commission. In a private letter of September 25 he said: "The President's late Proclamation, the continuation of Stanton and Halleck in office, render it almost impossible for me to retain my commission and self-respect at the same time."

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"McClellan's Own Story," p. 615.

He could not, however, pass over with entire silence an order of such momentous importance, and so after two weeks of meditation, having heard from his friends in New York,[1] he issued on the 7th of October a singular document calling the attention of the officers and soldiers of his army to the President's Proclamation. He made absolutely no reference to the Proclamation itself. He used it, as he says, simply as an opportunity of "defining . . . the relation borne by all persons in the military service . . . toward the civil authorities," a relation which most of his army understood already at least as well as himself. In a few commonplace phrases he restates the political axiom that the civil authority is paramount in our Government and that the military is subordinate to it. He therefore deprecated any intemperate discussion of "public measures

[1] He wrote Oct. 5: "Mr. Aspinwall [then at his camp] is decidedly of the opinion that it is my duty to submit to the President's Proclamation."—"McClellan's Own Story," p. 655.

determined upon and declared by the Government" as tending "to impair and destroy the discipline and efficiency of troops"; and significantly adds, "the remedy for political errors, if any are committed, is to be found only in the action of the people at the polls." There is no reason to believe that this order of General McClellan's was issued with any but the best intentions. He believed, and he thought the army believed, the President's antislavery policy was ill-advised and might prove disastrous. He therefore issued this order commanding his soldiers to be moderate in their criticisms and condemnation of the President, and to leave to the people at the polls the work of correcting or punishing him. When the troops of the Army of the Potomac had an opportunity of expressing at the polls their sense of the political question at issue between Lincoln and McClellan, the general had occasion to discover that there was a difference between the sentiment of staff headquarters and the sentiment of the rank and file.

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W. R. Vol. XIX., Part II., pp. 395, 396.

The President's peremptory order to move, which we have mentioned as having been issued on the 7th of October, having produced no effect, he wrote to General McClellan on the 13th of the month a letter so important in its substance and in its relations to subsequent events that it must be printed entire. Having already given the general his orders and told him what to do, he now not only tells him how to do it, but furnishes him unanswerable reasons why it should be done.

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MY DEAR SIR: You remember my speaking to you of what I called your over-cautiousness. Are you not over-cautious when you assume that you cannot do

CHAP. IX. what the enemy is constantly doing? Should you not claim to be at least his equal in prowess, and act upon the claim? As I understand, you telegraphed General Halleck that you cannot subsist your army at Winchester unless the railroad from Harper's Ferry to that point be put in working order. But the enemy does now subsist his army at Winchester, at a distance nearly twice as great from railroad transportation as you would have to do, without the railroad last named. He now wagons from Culpeper Court House, which is just about twice as far as you would have to do from Harper's Ferry. He is certainly not more than half as well provided with wagons as you are. I certainly should be pleased for you to have the advantage of the railroad from Harper's Ferry to Winchester, but it wastes all the remainder of autumn to give it to you, and in fact ignores the question of time, which cannot and must not be ignored. Again, one of the standard maxims of war, as you know, is to "operate upon the enemy's communications as much as possible without exposing your own." You seem to act as if this applies against you, but cannot apply in your favor. Change positions with the enemy, and think you not he would break your communication with Richmond within the next twenty-four hours? You dread his going into Pennsylvania, but if he does so in full force, he gives up his communications to you absolutely, and you have nothing to do but to follow and ruin him. If he does so with less than full force, fall upon and beat what is left behind all the easier. Exclusive of the water line, you are now nearer Richmond than the enemy is by the route that you can and he must take. Why can you not reach there before him, unless you admit that he is more than your equal on a march? His route is the arc of a circle, while yours is the chord. The roads are as good on yours as on his. You know I desired, but did not order, you to cross the Potomac below instead of above the Shenandoah and Blue Ridge. My idea was that this would at once menace the enemy's communications, which I would seize if he would permit.

If he should move northward I would follow him closely, holding his communications. If he should prevent our seizing his communications and move toward

Richmond, I would press closely to him; fight him, if a favorable opportunity should present, and at least try to beat him to Richmond on the inside track. I say "try"; if we never try we shall never succeed. If he makes a stand at Winchester, moving neither north nor south, I would fight him there, on the idea that if we cannot beat him when he bears the wastage of coming to us, we never can when we bear the wastage of going to him. This proposition is a simple truth, and is too important to be lost sight of for a moment. In coming to us he tenders us an advantage which we should not waive. We should not so operate as to merely drive him away. As we must beat him somewhere or fail finally, we can do it, if at all, easier near to us than far away. If we cannot beat the enemy where he now is, we never can, he again being within the intrenchments of Richmond.

Recurring to the idea of going to Richmond on the inside track, the facility of supplying from the side away from the enemy is remarkable, as it were, by the different spokes of a wheel extending from the hub toward the rim, and this, whether you move directly by the chord or on the inside arc, hugging the Blue Ridge more closely. The chord-line, as you see, carries you by Aldie, Hay Market, and Fredericksburg; and you see how turnpikes, railroads, and finally the Potomac, by Aquia Creek, meet you at all points from Washington; the same, only the lines lengthened a little, if you press closer to the Blue Ridge part of the way.

The gaps through the Blue Ridge I understand to be about the following distances from Harper's Ferry, to wit: Vestal's, 5 miles; Gregory's, 13; Snicker's, 18; Ashby's, 28; Manassas, 38; Chester, 45; and Thornton's, 53. I should think it preferable to take the route nearest the enemy, disabling him to make an important move without your knowledge, and compelling him to keep his forces together for dread of you. The gaps would enable you to attack if you should wish. For a great part of the way you would be practically between the enemy and both Washington and Richmond, enabling us to spare you the greatest number of troops from here. When at length running for Richmond ahead of him enables him to move this way, if he does so, turn and attack him in the rear.

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But I think he should be engaged long before such point is reached. It is all easy if our troops march as well as the enemy, and it is unmanly to say they cannot do it. This letter is in no sense an order.

W. R. Vol. XIX., Part I., pp. 13, 14.

Yours truly, A. LINCOLN.

In the absence of any definite plan or purpose of his own, General McClellan accepted this plan of the President's, giving in his report a characteristic reason, that "it would secure me the largest accession of force." But even after he adopted this decision the usual delays supervened; and on the 21st, after describing the wretched condition of his cavalry, he asked whether the President desired him "to march on the enemy at once or to await the reception of the new horses," to which, on the same day, the President directed the General-in-Chief to send the following reply:

W. R. Vol. XIX., Part I., p. 83.

Oct., 1862.

Ibid., p. 81.

> Your telegram of 12 M. has been submitted to the President. He directs me to say that he has no change to make in his order of the 6th instant. If you have not been and are not now in condition to obey it you will be able to show such want of ability. The President does not expect impossibilities, but he is very anxious that all this good weather should not be wasted in inactivity. Telegraph when you will move and on what lines you propose to march.

Ibid.

With the exercise of a very little sagacity General McClellan should have discovered from the tone of this dispatch that the President's mood was taking on a certain tinge of austerity. Nevertheless he continued his preparations at perfect leisure, and four days afterwards he sent a long letter asking for definite instructions in regard to the details of guards to be left on the upper Potomac; to which he received a reply saying "the Government has intrusted you with defeating and driving back

the rebel army in your front," and directing him to use his own discretion as to the matters in question. As General McClellan in his dispatch had referred with some apprehension to the probable march of Bragg's army eastward, General Halleck concluded his answer with this significant intimation: "You are within twenty miles of Lee, while Bragg is distant about four hundred miles." CHAP. IX. W. R. Vol. XIX., Part I., p. 85.

He finally got his army across the Potomac on the 1st of November; it had begun crossing on the 26th of October, and the several detachments, as they arrived in Virginia, were slowly distributed on the eastern slope of the Blue Ridge under the vigilant and now distrustful eye of the President. 1862.

There is no doubt that Mr. Lincoln's regard and confidence, which had withstood so much from General McClellan, was giving way. The President had resisted in his behalf, for more than a year, the earnest and bitter opposition of the most powerful and trusted friends of the Administration. McClellan had hardly a supporter left among the Republican Senators, and few among the most prominent members of the majority in the House of Representatives. In the Cabinet there was the same unanimous hostility to the young general. In the meeting of the 2d of September, when the President announced that he had placed McClellan in command of the forces in Washington, he was met by an outbreak of protest and criticism from the leading members of the Government which might well have shaken the nerves of any ruler. But the President stood manfully by his action. He admitted the infirmities of McClellan, his lack of energy and initiative, but Welles, "Lincoln and Seward," pp. 195, 196.

CHAP. IX. for this exigency he considered him the best man in the service, and the country must have the benefit of his talents, although he had behaved badly. We need not refer again to the magnanimity with which the President had overlooked the insolent dispatches of General McClellan from Savage's Station and Harrison's Bar. He closed his ears persistently during all the months of the winter and spring to the stories which came to him from every quarter in regard to the tone of factious hostility to himself which prevailed at McClellan's headquarters. But these stories increased to such an extent during the summer and autumn that even in his mind, so slow to believe evil, they occasioned some trouble. Soon after the battle of Antietam an incident came to his hearing, of which he felt himself obliged to take notice. Major John J. Key, brother to Colonel Thomas M. Key of McClellan's staff, was reported, replying to a question put by a brother officer, "Why was not the rebel army bagged immediately after the battle near Sharpsburg?" to have said, "That is not the game; the object is that neither army shall get much advantage of the other; that both shall be kept in the field till they are exhausted, when we will make a compromise and save slavery." The President sent a letter to Major Key to inform him of this grave charge, and to invite him to disprove it within twenty-four hours. A few minutes after this notice was sent, the major appeared at the Executive Mansion in company with Major Levi C. Turner, the officer to whom the remark had been made. A trial, as prompt as those of St. Louis dispensing justice under the oak at Vin-

cennes, then took place. The President was judge and jury, attorney for the prosecution and for the defense, and he added to these functions that of clerk of the court, and made a record of the proceedings with his own hand, which we copy from his manuscript:

Also Moore, "Rebellion Record." Vol. XII., pp. 477, 478.

At about eleven o'clock A. M., September 27th, 1862, Major Key and Major Turner appear before me. Major Turner says: "As I remember it, the conversation was, I asked the question why we did not bag them after the battle of Sharpsburg. Major Key's reply was, 'That was not the game; that we should tire the rebels out and ourselves; that that was the only way the Union could be preserved; we come together fraternally, and slavery be saved.'" On cross-examination Major Turner says he has frequently heard Major Key converse in regard to the present troubles, and never heard him utter a sentiment unfavorable to the maintenance of the Union. He has never uttered anything which he, Major T., would call disloyalty. The particular conversation detailed was a private one.

Upon the reverse of this record the President made the following indorsement:

In my view it is wholly inadmissible for any gentleman holding a military commission from the United States to utter such sentiments as Major Key is within proved to have done. Therefore let Major John J. Key be forthwith dismissed from the military service of the United States.

The President's memorandum continues:

At the interview of Major Key and Major Turner with the President, Major Key did not attempt to controvert the statement of Major Turner, but simply insisted and tried to prove that he was true to the Union. The substance of the President's reply was that if there was a game even among Union men to have our army not take any advantage of the enemy when it could, it was his object to break up that game.

CHAP. IX. Speaking of the matter afterwards the President said, "I dismissed Major Key because I thought his silly, treasonable expressions were 'staff talk' and I wished to make an example."

J. H., Diary.

He was still not ready to condemn General McClellan. He determined to give him one more chance. If McClellan, after Antietam, had destroyed the army of Lee his official position would have been impregnable. If, after Lee had recrossed the Potomac, McClellan had followed and delivered a successful battle in Virginia, nothing could afterwards have prevented his standing as the foremost man of his time. The President, in his intense anxiety for the success of the national arms, would have welcomed McClellan as his own presumptive successor if he could have won that position by successful battle. But the general's inexplicable slowness had at last excited the President's distrust. He began to think, before the end of October, that McClellan had no real desire to beat the enemy. He set in his own mind the limit of his forbearance. He adopted for his guidance a test which he communicated to no one until long afterwards, on which he determined to base his final judgment of McClellan. If he should permit Lee to cross the Blue Ridge and place himself between Richmond and the Army of the Potomac he would remove him from command.[1]

When it was reported in Washington that Lee and Longstreet were at Culpeper Court House, the

1862. President sent an order, dated the 5th of November, to General McClellan, which reached him at

[1] These are the President's own words taken down at the time they were uttered. J. H., Diary.

Rectortown on the 7th, directing him to report for further orders at Trenton, New Jersey, and to turn the command of the Army of the Potomac over to General Burnside. General C. P. Buckingham delivered his message first to Burnside and then came with him to McClellan's tent. McClellan says in his memoirs that with the eyes of the two generals upon him he "read the papers with a smile"—but when they were gone, he turned to finish a letter he had been writing, and broke out in the heartfelt ejaculation, "Alas for my poor country." He took credit to himself in after years for not heading a mutiny of the troops. He said, "Many were in favor of my refusing to obey the order and of marching upon Washington to take possession of the Government."

W. R. Vol. XIX., Part II., p. 545.

"McClellan's Own Story," p. 660.

Ibid., p. 652.

Thus ended the military career of George Brinton McClellan. Now that the fierce passions of the war, its suspicions and its animosities, have passed away, we are able to judge him more accurately and more justly than was possible amid that moral and material tumult and confusion. He was as far from being the traitor and craven that many thought him as from being the martyr and hero that others would like to have him appear. It would be unfair to deny that he rendered, to the full measure of his capacity, sincere and honest service to the republic. His technical knowledge was extensive, his industry untiring; his private character was pure and upright, his integrity without stain. In the private life to which he retired he carried with him the general respect and esteem and the affection of a troop of friends; and when by their partiality he was afterwards called to the exercise of

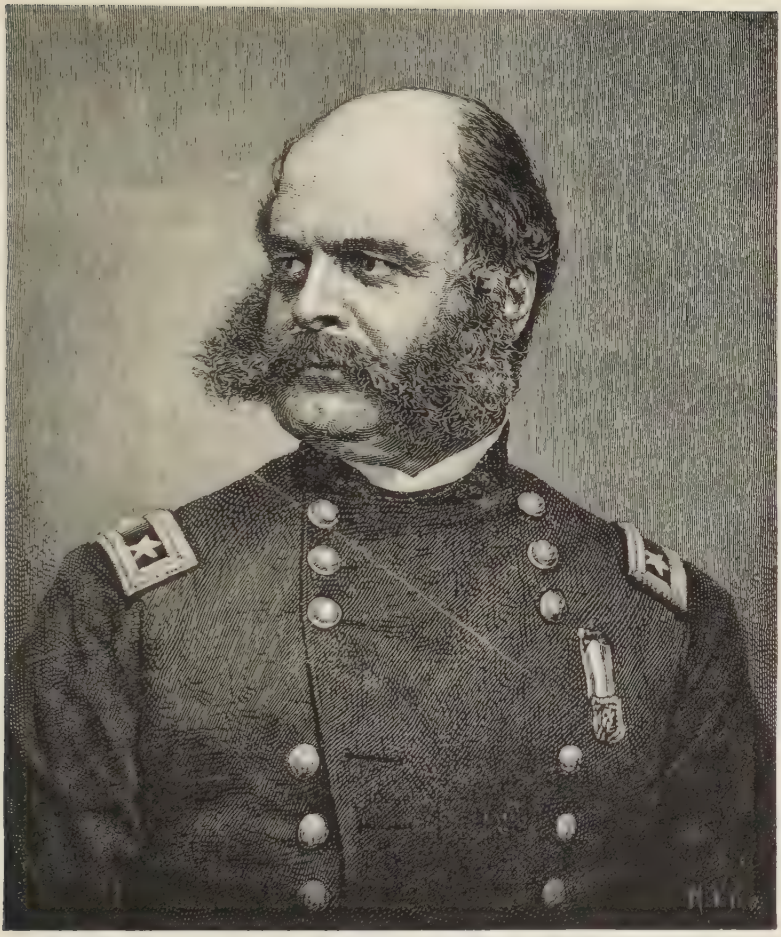
CHAP. IX. important official functions he adorned every office he held with the highest civic virtues and accomplishments. No one now can doubt his patriotism or his honor, and the fact that it was once doubted illustrates merely the part which the blackest suspicions play in a great civil war, and the stress to which the public mind was driven in the effort to account for the lack of results he gave the country in return for the vast resources which were so lavishly placed in his hands.

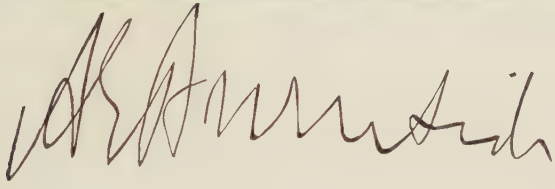
It was in this native inability to use great means to great ends that his failure as a general lay. It was in his temperament to exaggerate the obstacles in front of him, and this, added to his constitutional aversion to prompt decisions, caused those endless delays which wasted the army, exasperated the country, and gave the enemy unbroken leisure for maturing his plans, and constant opportunity for executing them. His lethargy of six months in front of Washington, to the wonder and scorn of the Southern generals; his standing at gaze at Yorktown, halted with his vast army by Magruder's men in buckram; his innocent astonishment at Williamsburg at finding the rebels would not give up Richmond without a fight; his station astride the Chickahominy, waiting for the enemy to grow strong enough to attack him, while his brave soldiers were fading to specters with the marsh fever; his failure to assume the offensive after the Confederate repulse at Seven Pines; his second refusal of the favors of the fortune of war when Lee took his army North of the Chickahominy and Porter fought him all day with little more than one corps, but with splendid courage; his starting for

the James, in this crisis of his fate, when he should have marched upon Richmond; his final retreat from Malvern Hill to Harrison's Landing, breaking the hearts of the soldiers who had won on that field a victory so complete and so glorious — all these mistakes proved how utterly incapable he was of leading a great army in grand war. No general had ever been offered such wonderful opportunities; and they continued to be offered to him to the end. When Pope had drawn away the enemy from Richmond, and given him an unmolested embarkation, and had fought with undaunted valor against Lee's army, before which at last he was forced to give way for want of the relief which he had the right to expect from McClellan, the President, magnanimously ignoring all his own causes of quarrel, gave to McClellan once more his old army, reënforced by Pope's, and sent him against an enemy who, in a contempt for his antagonist acquired in the Peninsula, had crossed the Potomac and then divided his army in half. As a crowning favor of chance this was made known to McClellan, and even this incalculable advantage he frittered away, and gave Lee forty-eight hours to call in his scattered battalions. After Antietam, for six long weeks of beautiful autumn weather he lingered on the north bank of the Potomac, under the constant pressure of the President's persuasions, and afterwards under the lash of his orders and reproaches, unable to make up his mind to pursue the enemy so long as he could find excuse for delay in a missing shoelace or a broken limber. CHAP. IX.

The devoted affection which he received from his army was strange when we consider how lacking

CHAP. IX. he was in those qualities which generally excite the admiration of soldiers. When Sumner, swinging his hat, charged in front of his lines at Savage's Station, his white hair blowing in the wind; when Phil. Kearny, who had lost his bridle arm in Mexico, rode in the storm of bullets with his reins in his teeth, his sword in his right hand, there was something which struck the imagination of their troopers more than far more serious merits would have done. But no one ever saw General McClellan rejoicing in battle. At Williamsburg, the first Peninsular fight, while Hooker and Kearny and Hancock were in the thick of the conflict, he was on the wharf at Yorktown, very busy, doing an assistant quartermaster's duty; the day of Fair Oaks he spent on the north side of the river; when the current of war rolled to the north side at Beaver Dam Creek and Gaines's Mill he stayed on the south bank; during the retreat to the James he was far in advance, selecting with his intelligent engineer's eye the spots where Sumner, Franklin, and the rest were to fight their daily battles; and even in the fury and thunder of Malvern Hill, the most splendid feat of arms ever performed by the Army of the Potomac, a sight which a man with the true soldier blood in his veins might give his life to see, he spent the greater part of those glorious hours, the diapason of his greatest victory booming in his ears, in his camp at Haxall's or on board the gunboats, coldly and calmly making his arrangements for the morrow's retreat, and the cooperation of the navy; and at Antietam, the only battle where he really saw his own troops attacking the enemy, he enjoyed that wonderful sight "the





whole day," says General Palfrey, "till towards the middle of the afternoon, when all the fighting was over, on the high ground near Pry's house, where he had some glasses strapped to the fence, so that he could look in different directions." We make no imputation on his courage; he was a brave man; but he was too much cumbered with other things to take part in his own battles.

Palfrey, "Antietam and Fredericksburg," p. 119.

With such limitations as these it is not likely that posterity will rank him among the leading generals of our war. The most his apologists ask for him is a place among the respectable, painstaking officers of the second order of talent, "that middle category of meritorious commanders"; but when we see such ardent friends and admirers as General Webb and General Palfrey, brought by a conscientious and careful study of his career to such a conviction of his continuous mistakes as they have expressed, we may well conclude that the candid historian of the future will have no sentiment but wonder when he comes to tell the story of his long mismanagement of a great, brave, and devoted army, backed by a Government which strained every nerve to support him, and by a people whose fiery zeal would have made him the idol of the nation if he had given them the successes which their sacrifices deserved, and which were a dozen times within his grasp.

Swinton, "The Army of the Potomac," p. 229.

We have evidence from a candid and intelligent, if not altogether impartial, witness of the impression made upon the peace party of the North by the dismissal of General McClellan from command. Lord Lyons, the British Minister at Washington, arrived in New York from a visit to England on

CHAP. IX. the 8th of November, 1862. The Democrats, or the Conservatives as he called them, had carried the State and elected Mr. Seymour governor. He found them in great exultation over their victory. They imagined that the Government would at once desist from the measures which they had denounced as arbitrary or illegal; or, if not at once, they were certain that after the 1st of January, when Mr. Seymour would be inaugurated, the Government would not dare to exercise its war powers within the limits of the State of New-York. They confided to the urbane and genial representative of the British Government much more spacious hopes than these,— hopes which they were not yet ready to avow to their own countrymen,[1] — that the President would "seek to terminate the war, not to push it to extremity; that he would endeavor to effect a reconciliation with the people of the South and renounce the idea of subjugating or exterminating them." But these rising hopes, Lord Lyons says, "were dashed by the next day's news." The dismissal of General McClellan caused "an irritation not unmixed with consternation and despondency. The general had been regarded as the representative of Conservative principles in the army. Support of him had been made one of the articles of the Conservative electoral programme. His dismissal was taken as a sign that the President had thrown himself entirely into the arms of the extreme

[1] Lord Lyons says: "I listened with attention to the accounts given me of the plans and hopes of the Conservative party. At the bottom I thought I perceived a desire to put an end to the war even at the risk of losing the Southern States altogether; but it was plain it was not thought prudent to avow the desire." — Letter of Lord Lyons to Earl Russell, dated November 17, 1862.

Radical party, and that the attempt to carry out the policy of that party would be persisted in." The "party" and the "policy" referred to were of course the Republican party of the nation, and the policy of carrying the war through to the end, and saving the Union intact by all the means within the power of the Government; and in this forecast the Conservative gentlemen of New York, who sought the accomplished envoy of Great Britain to unbosom to him their joys and their griefs, showed that however they may have been lacking in patriotism or self-respect they were not deficient in logic or sagacity.

CHAPTER X

FREDERICKSBURG

CHAP. X.

IT was on a raw and gusty November day that General Buckingham arrived at Burnside's headquarters at the little village of Orlean, and delivered him the orders to take command of the Army of the Potomac. He was greatly surprised, he himself says "shocked," at the news. He told General Buckingham that it was a matter which required very serious thought; that he did not want the command; that it had been offered to him twice before, and that he did not feel he could take it. He called two of his staff-officers into consultation, and for more than an hour resisted their importunities that he should accept it; he told them, what in the light of experience we know was true, that he "was not competent to command such a large army." He had said as much to the President and to the Secretary of War, when they on a former occasion had intimated to him that such a promotion was thought of. In the dissatisfaction prevailing in high quarters in Washington against McClellan the name of Burnside had been more than once mentioned, in the councils of the Government, as his successor — a suggestion which Burnside had always discoun-

Burnside, Testimony, Report Committee on Conduct of the War. Part I., p. 650.

tenanced. He was an intimate and devoted friend of McClellan, and thought him better fitted than any one else in the Army of the Potomac to command it. But now, forced to decide in one short hour of twilight, finding himself with no counsel but that of General Buckingham, who bore the orders and urged the wishes of the Government, and of his staff, who were naturally rejoiced at his promotion, he was unable to persist in his refusal. He and General Buckingham started at once for McClellan's headquarters at Rectortown, and there, as a matter of course, the deposed general could say nothing more than that it was the duty of General Burnside to obey his orders, and that he congratulated him upon his good fortune. It would be hard to say to which of these commanders the message of General Buckingham was of the more evil omen. The removal of McClellan was a blow to him, the bitterness of which was to last through his life; but there was reserved for General Burnside as a consequence of his new honors a day of disaster and gloom, which to a man of his sensitive and kindly nature must have been bitterer still. It can be safely said that from the hour when in that blinding snow-storm he accepted the command of the Army of the Potomac, to the hour when he laid it down in discouragement and despair, he did not see a single happy day.

Yet even now it is difficult to say what better choice at that moment the Government could have made. He was next in rank to the commanding general. Of McClellan's subordinates in the Army of the Potomac there were none who had as yet shown capacity for important independent com-

CHAP. X. mand; while Burnside had at least the prestige of a great success in North Carolina. He was highly esteemed in army circles and had made, like McClellan, a prosperous career for himself in civil life. He had hosts of friends, was manly, honorable, and chivalrous in character; he was as acceptable to the adherents of McClellan as any one could have been, and was as little objectionable to McClellan himself as it was possible for his successor to be. They were up to that time close friends. The unkind criticisms of Burnside's conduct at Antietam, which McClellan afterwards embodied in his report, were reflections which had arisen long after the fight, prompted by the instinct of self-preservation. To the ardent spirits in Congress and in the press, who were urging a more vigorous prosecution of the war, Burnside was highly acceptable and his appointment was greeted with great enthusiasm.

Somewhat to Mr. Lincoln's chagrin, the first act
1862. of the new general was to object to the plan of campaign which had been furnished to McClellan from Washington. Instead of this he proposed to transfer his army to Fredericksburg and from that point to move upon Richmond. General Halleck went down to visit him, and a thorough discussion of the matter took place between them. Neither seemed inclined to yield his preferences, and Halleck went back to Washington to lay the matter before the President. He, having given his confidence, was not, at this early day, inclined to limit or withdraw it. He therefore assented to Burnside's plan on condition that he "move rapidly"—and it was put immediately in the way of execution. But

every step in this unhappy campaign went wrong from the very beginning. General Halleck and General Burnside seemed never fully to understand each other. General Halleck says in his report that Burnside was not expected to move to Falmouth, but to cross his army by the fords of the Upper Rappahannock and then move down and seize the heights south of Fredericksburg. He was slow in beginning the movement, and when he arrived on the north bank of the river he found that the pontoons, by which he had expected to cross, had not arrived, but that Lee and his army had. Sumner had got there a few days in advance, and had asked permission of Burnside to cross and take the heights which afterwards proved so deadly to our troops. This permission was refused. Hooker in turn had asked leave to cross his corps at one of the upper fords to come in upon the left flank of Lee, but this proposition was also declined. If Burnside had been able to cross the river on the day he arrived at Falmouth he might still have been in time to occupy the important position opposite him without loss, for it was only that day that Longstreet's corps was put in motion towards Fredericksburg and it was a week later before Jackson was ordered to join him there. But the pontoons had not arrived, and an acrimonious controversy, covering hundreds of pages of the official records, arose as to the responsibility for this failure. It is a controversy in which, as it seems to us, no candid reader of the records can take sides. Neither General Burnside, nor those staff-officers specially charged with the duty, nor General Halleck, nor the engineer officers in whose jurisdiction the

W. R. Vol. XXI., p. 47.

1862.

Lee, Report. W. R. Vol. XXI., p. 551.

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business lay, paid sufficiently prompt and continuous attention to it. Each naturally endeavors to throw the blame on the others, but there was not a man in connection with the affair who acted with the promptness and energy required. The bridge trains did not arrive until the afternoon of the 25th of November, and it was not until the 10th of December that General Burnside was ready for his perilous enterprise of crossing the Rappahannock.

Burnside, Report, W. R. Vol. XXI., p. 87.

1862.

The President visited the army on the 27th of November, and had a long conversation with Burnside with regard to his campaign. Burnside told Mr. Lincoln that he had all the men he wanted; that he could not handle a greater number to advantage; that he thought he could cross the river and drive the enemy away, though it was somewhat risky. The President returned to his steamer, and on the way to Washington wrote a letter to Halleck detailing the above conversation with Burnside, and going on to say: "I wish the case to stand more favorably than this in two respects. First, I wish his crossing of the river to be nearly free from risk; and, secondly, I wish the enemy to be prevented from falling back, accumulating strength as he goes, into his intrenchments at Richmond." He then proposed a plan of campaign of which the main features were these: Burnside was to remain for the present at Falmouth; to occupy the south bank of the Rappahannock about Port Royal with a strong force, say 25,000 men; an equal force to be placed on the north bank of the Pamunkey as high up as it could be protected by gunboats. When all was ready, Burnside to cross the Rappahannock and the two auxiliary armies to march

Lincoln to Halleck, Nov. 27, 1862. MS.

simultaneously, the force from Port Royal upon Lee's right flank, while that from the Pamunkey could hold or destroy the roads and bridges in his rear. Such a movement, if successful, would be destructive of Lee's army; while if it failed, the retreat to the support of the gunboats would always be practicable. This plan was rejected by both Halleck and Burnside on the ground that the force on the Pamunkey could not be raised and put in position without too much waste of time.

Lincoln to Halleck, Nov. 27, 1862, and Note. MS.

In the mean time the enemy had not lost a day. Lee's entire army was now concentrated at Fredericksburg and for several miles above and below; General Longstreet on the left, holding the heights immediately in the rear of the city, while Jackson's corps was stationed on the crest of the hills below, the two commands covering the entire range of heights from above the city to the Richmond Railroad. Beyond Jackson, Stuart with his cavalry and the horse artillery occupied the plain to the river. The Confederates had thrown up formidable earthworks and planted batteries at every advantageous point. The whole line of hills had become one great fortress manned by the veteran soldiers of the Army of Virginia, under the three ablest commanders of the South.

At the time that General Burnside resolved to cross, his plan of battle was at best vague and confused. He had at first intended to cross the river some fourteen miles below the city; but at the last moment finding that the enemy had prepared to resist him at that point, he changed his mind and concluded to throw his bridges across to the town of Fredericksburg and to assault the Confederate

CHAP. X. position in front. It was a bold determination, but all the credit that is to be given to General Burnside for his unquestioned bravery must be taken from that which is to be awarded to his discretion. It was with utter amazement, mingled with satisfaction, that the Confederates, in the safe shelter of their impregnable works, watched the Army of the Potomac moving across the Rappahannock to the attack. General Burnside's army had been divided, at his request, into three grand divisions: Sumner commanded the right, Franklin the left, and Hooker was held in reserve. The duty which Burnside says he expected of Franklin was to attack the right wing of the Confederate army posted upon the hills below the town and to gain the crest of these hills, which would give him access to the newly made road which led in the rear of all the rebel works. Sumner, after the attack of Franklin had been fully developed, was to move directly out upon two roads which led through the town, and storm the heights behind the city. The troops
1862. began crossing at dawn on the 11th of December. The building of the bridges proceeded but slowly at first on account of the harassing fire of the enemy, but a body of troops sent over in the pontoons themselves charged upon their assailants in the town and quickly cleared the ground. The bridges were then at once completed, and the army passed over without loss. By the night of the 12th the troops were all in position, and Burnside visited the different commands to decide upon his final orders for the next day. He must have been in some confusion and trouble of mind, being even then not unconscious of a want of sympathy and

confidence between himself and his leading generals. It is probably due to this fact that his orders to Franklin were so lacking in definiteness that that general passed the night, as he says, in "sleepless anxiety," not precisely knowing what was expected of him the next day; and it was not until half-past seven o'clock in the morning of the 13th that General James A. Hardie arrived at Franklin's headquarters with the programme for the battle. Even then the vagueness had not disappeared from General Burnside's intentions. Instead of an order to assault the heights in front of him with the entire force at his disposition, General Burnside merely directed Franklin to "keep your whole command in position for a rapid movement down the old Richmond road; and you will send out at once a division, at least, to pass below Smithfield, to seize if possible the heights near Captain Hamilton's, . . . taking care to keep it well supported, and its line of retreat open." Upon these ambiguous orders Franklin fought all day, sending in at first Meade's division, and following it up successively with five others,[1] until more than a whole army corps was engaged in a fierce and sanguinary battle. Meade did all that any one could have done. He made a brilliant and resolute charge, penetrating the line of A. P. Hill's division, surprising the line in rear and putting it to rout, capturing three hundred prisoners and several stands of colors. But the bravest of men cannot long hold his hand in the flames, and Meade, exposed to a galling fire in front and on both flanks, was soon compelled to retire. The reënforcements which Franklin sent

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Franklin's Statement, "Rebellion Record," Vol. X., p. 162.

[1] Gibbon's, Birney's, Sickles's, Doubleday's, and Newton's.

CHAP. X. him checked the pursuit of the enemy, but although the fight raged on the left all day the point which Meade reached in the morning was never regained. General Franklin always insisted that General Burnside the night before had not favored his proposition to attack on the left in force, and that he understood the movement ordered on the morning of the 13th was to be merely a strong reconnaissance, and that he remained under that impression until a later hour of the day, when Burnside sent an aide-de-camp to order an advance on the heights in front of him — a movement which then seemed to him impracticable. Burnside, on the contrary, always contended that Franklin had not done his full duty, and the Committee on the Conduct of the War took the same ground in their report.[1]

[1] General Franklin says that on the evening of the 12th of December, General Burnside came to his headquarters and there in the presence of his corps commanders, Generals Smith and Reynolds, the subject of the next day's attack was discussed. Franklin says, "I strongly advised General Burnside to make an attack from my division upon the enemy's right, with a column of at least thirty thousand men to be sent in at daylight in the morning. At that time two divisions of General Hooker's command were on the north side of the river, near the bridges that I had crossed. In order to make such an attack as I advised, I informed General Burnside that these two divisions must be crossed during the night. I reiterated my request, that I should receive my orders as early as possible, that I might make the necessary dispositions of the troops before daylight. He stated at one time that I should have my orders in any event before midnight, and at another, that I should have them in two or three hours. He left my headquarters about 6 P. M., and I awaited his orders during the night. None reached me until half-past seven o'clock in the morning. At midnight I sent an aide to ask for them, and received the reply that they were being prepared and would be sent forthwith."

Moore, "Rebellion Record." Vol. X., pp. 159, 160.

It is a significant fact that several days elapsed after the battle before General Burnside expressed any dissatisfaction with Franklin. Franklin indeed reports that Burnside told him several days after the battle that "I alone of his Generals had 'held up his hands,' as he expressed it, that he had fully determined to resign his command and to recommend me as his successor."

Ibid., p. 163.

About eleven o'clock General Sumner was ordered to push his troops out through the town and attack the heights in the rear. Although General Burnside had some intimation of the extent of the Confederate works, yet for lack of proper reconnaissances neither he nor any of his officers had any conception of their real strength; so that Sumner's corps, as they pushed out under the gray wintry skies over the so-called Telegraph and Plank roads in high hopes of carrying the enemy's line, were merely going to certain slaughter, unrelieved by any possibility of success. The roads they were following brought them directly to a sharp eminence surmounted by the high ground of an estate known as Marye's. Its eastern boundary was itself a fortification consisting of a road partly sunken running north and south; on the side of the road towards the town was a stone wall four feet high; on the side towards Marye's, a similar wall supporting the base of the hill. Both sides of the road had been reënforced and fortified by the Confederate engineers and artillerists. The whole declivity was one bristling mass of cannon and of muskets, served by stout-hearted soldiers, waiting silently in the grimmest joy a soldier ever knows — that of seeing his enemy approach him, and in his power. After the lapse of twenty years the mind shrinks and sickens at the task of describing the carnage of that day. Sumner sent forward the divisions of French and Hancock as his storming column. They marched some 1700 yards, absolutely without shelter, under a withering fire. When they came within assaulting distance there were not enough of them left

CHAP. X. to assault. Hancock's division lost 2000 men and French's 1200; some of the men fell within twenty-five paces of the stone wall. Sturgis's division exhibited the same bravery and shared the same fate; General Carroll next came up, and then Griffin, pushing their lines to within a few yards of the death-dealing hill, and then falling back without result.

Hooker at last was ordered to take what was left of his troops,—the rest having previously been sent in other directions,—and attack these impregnable heights. There was probably no man in the army whose appetite for fighting was less questionable than Hooker's — but it is entirely to his credit that when he looked at the position he was ordered to assault, he sent an aide-de-camp to General Burnside to advise him not to attack at that place. Burnside, who by this time had reached a dangerous point of excitement, reiterated the order to attack; then "Fighting Joe Hooker" put spurs to his horse and rode to headquarters, and there, for the first and last time in his life, begged that his troops might not be ordered to destruction. General Burnside still insisted upon his orders, and Hooker, with a final protest, went back to his devoted column. It suited General Burnside afterwards to think that this protesting attitude of Hooker's diminished the vigor of his attack; but there was no foundation for such a belief. No braver or more hopeless assault was ever made. Hooker accompanied in person his soldiers of the Fifth Corps, under General Butterfield; the division commanders were Griffin, Sykes, and Humphreys. All distinguished themselves equally for bravery

and good conduct. The final charge of Humphreys's division was one of the most remarkable incidents of the war. He commanded two brigades, about 4500 strong. They were mostly fresh troops who had never been in battle before. As they advanced to the front the officers were greatly embarrassed by the number of soldiers whom they found lying on their faces, unable to resist the murderous fire. A part of Humphreys's division at once followed the example of these troops, and lying down, began firing at the rebel infantry some two hundred yards in advance. General Humphreys, who had no superior in that army in ability or bravery, seeing that nothing could be done by musketry fire against the rebel position, determined as a last resort to try to charge with the bayonet. By the personal exertions of himself and his staff he induced his command to cease firing and formed them for a charge. He gave orders to pay no attention to the men lying on the ground, but to run over them and to stop for nothing till they had crossed bayonets with the enemy. He then ordered the officers to the front. Tyler's brigade, led by Tyler and Humphreys, marched with a cheer over the ground under the heaviest fire of the day. "The stone wall," says Humphreys in his report, "was a sheet of flame that enveloped the head and flanks of the column. Officers and men were falling rapidly and the head of the column was at length brought to a stand when close up to the wall. Up to this time not a shot had been fired by the column, but now some firing began; it lasted but a minute, when in spite of all our efforts the column turned and began to retire slowly." At the end of this magnificent

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W. R. Vol. XXI., p. 432.

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though disastrous charge only one member of Humphreys's staff was left mounted, and his horse had three wounds; the general had two horses killed under him; yet so effective was the indomitable spirit of Humphreys upon his men that the meager remnant of them retired "slowly and in good order, singing and hurrahing." He had lost in a few minutes 1019 men. As Humphreys led back his undaunted soldiers from the fight, it was growing dark. Hooker concludes his story by the grim remark: "Finding I had lost as many men as my orders required me to lose, I suspended the attack."

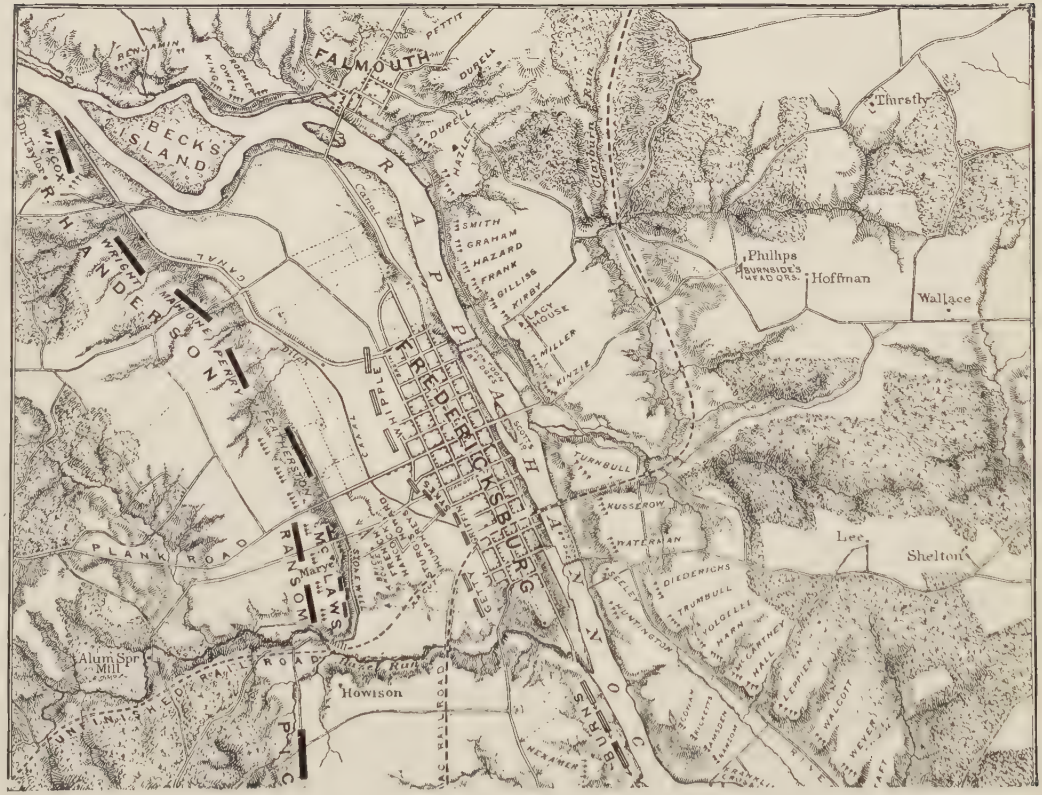
W. R. Vol. XXI., p. 432.

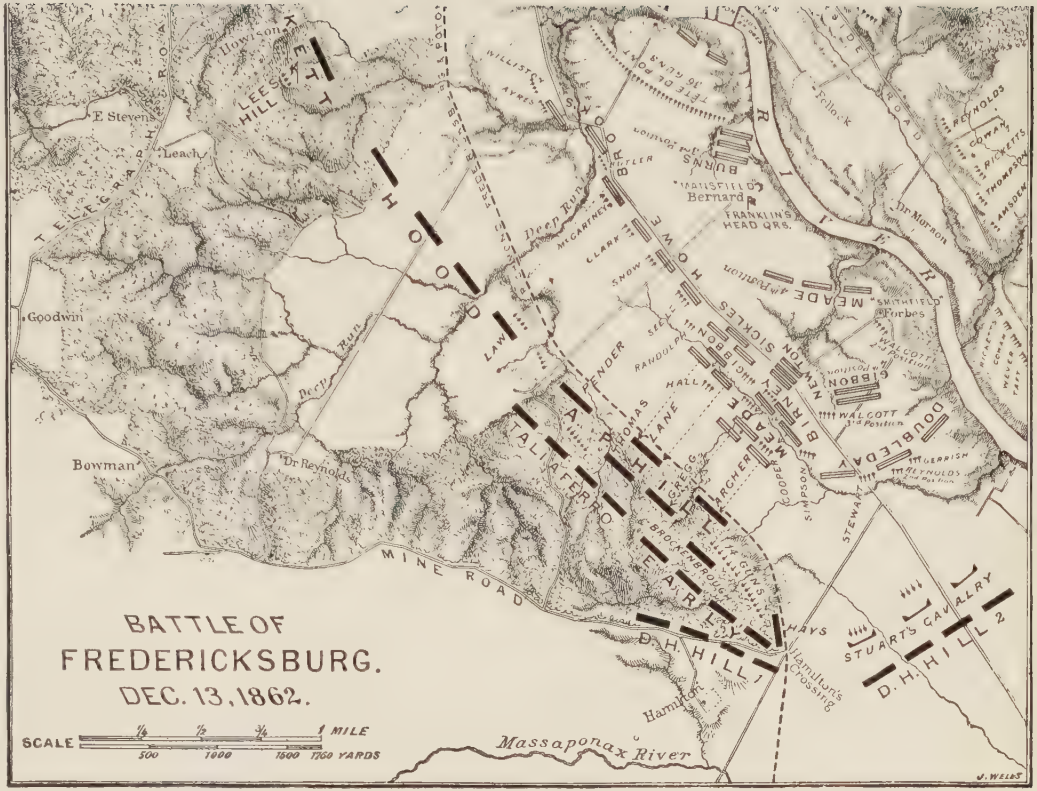
Hooker, Testimony, Report Committee on Conduct of the War. Part I., p. 668.

General Burnside passed the greater part of the night among the officers and men of the right wing. It was a cheerless promenade, utterly devoid of comfort or encouragement. In the morning, unrefreshed by sleep or any other source of cheer, he had to decide upon his course for the day. Whatever else he may have lacked, he did not lack bravery. Perhaps we might use a stronger word to describe his state of mind on that gloomy morning of the 14th. His first orders breathed a spirit akin to desperation. He directed General Sumner to order the Ninth Army Corps to form in column of attack by regiments. These were his household troops; he had led them to victory before; he considered that they would be faithful to him though all the world besides abandoned him. He determined to lead them in person[1] against those fatal heights where the whole right wing of the army had been shattered the previous day. But before the

Dec., 1862.

[1] Gen. Parke, his chief-of-staff, so informed Henry J. Raymond. See the latter's diary in "Scribner's Monthly," Jan., 1880, p. 422. Franklin gives the same account.


FALMOUTH
BECKS ISLAND
RAPPAHANNOCK
FREDERICKSBURG
CANAL
PLANK ROAD
TELEGRAPH ROAD
RICHMOND, FREDERICKSBURG & POTOMAC R.R.
Thrsty
Philips
BURNSIDE'S HEAD QRS.
Hoffman
Wallace
Lee
Shelton
Howison
Alum Spr Mill
Mary
WIKOFF
WRIGHT
HENDERSON
PERRY
EATHERSTON
McLAWS
RANSOM
SMITH
GRAHAM
HAZARD
FRANK
GILLISS
KIRBY
LACY HOUSE
MILLER
KINZIE
TURNBULL
KUSSEROW
FRATERMAN
DIEDENICHS
TRUMBULL
VOLGELEE
HARN
McCARTNEY
HALE
HUNTINGTON
LEMPIEN
WALCOTT
WEYER
HEKAMER
DURELL
PETTIT
BENJAMIN
KNIGHT
SPENCER
HAZLETT
CLEVELAND
CREWELL
DIXON
STOLENBRIDGE
BRUSHY HILL
RUSSELL
SHERMAN
PRICE
HUNTINGTON


BATTLE OF
FREDERICKSBURG.
DEC. 13, 1862.
SCALE
1/4
1/2
3/4
1 MILE
500
1000
1500
1760 YARDS
Massaponax River
Hamilton's Crossing
Hamilton
MINE ROAD
TELEGRAPH ROAD
PLANK ROAD
RICHMOND
FREDERICKSBURG
R. R.
Bowman
Goodwin
E. Stevens
Leach
Dr. Reynolds
Deep Run
Berry Run
Hazel Run
Howison
Willis
Ayres
Pelham
Pollock
Dr. Morton
Franklin's Head Qrs.
Bernard
Burns
Butler
McCartney
Clark
Snow
Howe
Meade
Gibbon
Sickles
Birney
Hall
Tyler
Randolph
Thomas
Lane
Archer
Meade
Gregg
Brockenbrough
Caldwell
Kershaw
Cobb
Semmes
Barksdale
Wofford
Humphreys
Doubleday
Walcott
Reynolds
Gerrish
Forbes
Smith
Stewart
Pegram
Hays
Stuart's Cavalry
D. H. Hill 2
D. H. Hill
Lee's Hill
Longstreet's Hill
J. Wells

hour when the column was to have started, General Sumner came to him. The orders he had received dismayed even that optimistic veteran, who always rejoiced in the turmoil of battle when there was anything like a chance for his side. He said: "General, I hope you will desist from this attack. I do not know of any general officer who approves of it, and I think it will prove disastrous to the army." Advice like this from one so hardy and sanguine as Sumner naturally affected Burnside. He kept his column of attack formed, but called his division and corps commanders into consultation; they were unanimous against him. He then crossed the river and consulted the officers on the other side, with the same result. He next asked Franklin's opinion, which was the same; he would not at once yield his resolution, and dallied with it all that day and the greater part of the next. But on the evening of the 15th he resolved to withdraw his troops to Falmouth, and in the night, under cover of the darkness and a driving storm, this was successfully accomplished; and on the 16th General Lee, who had been anxiously expecting another attack, telegraphed to Richmond: "As far as can be ascertained this stormy morning, the enemy has disappeared in our immediate front, and has recrossed the Rappahannock. I presume he is meditating a passage at some other point."

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Burnside, Testimony, Report Committee on Conduct of the War. Part I., p. 653.

Dec., 1862.

W. R. Vol. XXI., p. 548.

It was General Lee's impression that another crossing would immediately be made at some distance below Fredericksburg, and he took his measures accordingly. He wrote to Richmond: "Should the enemy cross at Port Royal in force before I can get this army in position to meet him, I think it

CHAP. X. more advantageous to retire to the Annas and give battle than on the banks of the Rappahannock. My design was to have done so in the first instance." This greatest of Lee's victories was therefore an accident, flung into his hands by the fortunes of war.[1]

W. R. Vol. XXI., p. 549.

Terrible as was this defeat, and directly chargeable as it was to the errors of the general in command, it is a remarkable proof of the sterling worth of his personal character that it did not materially injure him in the public estimation. His conduct after the fight was in striking contrast to that of his predecessor. Instead of throwing upon the Government the blame of his disaster, as McClellan did on every occasion, in his report of the 17th of December he assumed entire responsibility. He gave generous praise to his officers and men. "For the failure in the attack I am responsible," he said, "as the extreme gallantry, courage, and endurance shown by them was never excelled and would have carried the points had it been possible. . . The fact that I decided to move from Warrenton on to this line rather against the opinion of the President, Secretary, and yourself [General Halleck], and that you have left the whole

1862.

[1] The monthly return of Lee's army for December 31, 1862, gives as his aggregate present 91,093. Aggregate present and absent 152,842. His losses in killed and wounded in the battle of Fredericksburg, as officially stated by his Medical Director, were 4201, of which more than two-thirds were suffered in front of Franklin. W. R. Vol. XXI., pp. 1082 and 562.

The aggregate present of Burnside's army the same day is 185,386; the aggregate present and absent is 267,379. The actual number of effectives present and equipped for duty in the fight is hard to ascertain; it is not far from 75,000 with Lee and 100,000 with Burnside. The Union loss was in killed 1284 and in wounded 9600, making in all 10,884. The Union missing were 1769. W. R. Vol. XXI., pp. 924 and 142.

management in my hands, without giving me orders, makes me the more responsible. . . I will add here that the movement was made earlier than you expected, and after the President, Secretary, and yourself requested me not to be in haste, for the reason that we were supplied much sooner by the different Staff Departments than was anticipated when I last saw you."[1]

W. R. Vol. XXI., p. 66.

This manly shouldering of the blame which he felt was his own went far in the mind of a generous people to redeem many errors of judgment. The President sent a kind and sympathetic dispatch to the army, in which he said: "Although you were not successful, the attempt was not an error nor the failure other than accident. The courage with which you in an open field maintained the contest against an intrenched foe, and the consummate skill and success with which you crossed and recrossed the river in the face of the enemy, show that you possess all the qualities of a great army, which will yet give victory to the cause of the country and of popular government." General Burnside received friendly and encouraging letters also from General Halleck and the Secretary of War. But the damage which he had received could not be healed by complimentary letters or general orders. That indefinable abstraction which is

Lincoln to Army of the Potomac, Dec. 22, 1862. Ibid., pp. 67, 68.

[1] The magnanimity of this avowal was above the comprehension of the newspaper correspondents, and they at once started a rumor that Burnside had made it under orders from Washington. This story he always indignantly repudiated, and in his final report, dated November 13, 1865, he referred again to this falsehood and gave it a categorical denial. The report, he says, "was written at my headquarters without consultation with any person outside of my own personal staff, and is correct in all particulars."—W. R. Vol. XXI., p. 95.

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called the morale of the army, had suffered a grievous hurt in those days of December. Every officer who had leave to come to Washington whispered a woful story of disorganization and discouragement in the ears of his political friends. Even the cheery Sumner, when examined by a Committee of Congress, while stoutly defending his chief, admitted "there was too much croaking in the army." Henry J. Raymond, who visited the camp at Fredericksburg about this time, records in his diary a sorry impression of the state of gloom and discouragement among the officers and soldiers. The colonel of a Michigan regiment in the course of conversation told him that the despondency of the officers and men was due mainly, in his opinion, to want of confidence in General Burnside. In reply to the question why they lacked confidence in him, the colonel answered, because he had no confidence in himself; that General Burnside had not only spoken of his incompetency, but had gone before the Congressional Committee and sworn to it. It was impossible to stop for a moment by a group of soldiers talking around the camp-fire without hearing enough to show that the commanding general had lost the confidence of the rank and file of the army. Desertion prevailed to an alarming extent; the officers, who could not escape their duty in that easy fashion, began to send in their resignations, accompanying them in some instances with insolent expressions against the Government for its conduct of the war. This smothered mutiny was not confined to the lower ranks. Even among general officers there were to be heard the most dangerous outbursts of disrespect and discontent.

"Scribner's Monthly," Jan., 1880, p. 420.

The most indiscreet and outspoken of all was naturally General Hooker, whose words always readily "escaped the fence of his teeth." The commanding general was incompetent; his movements were absurd; the President and Government at Washington were imbecile; nothing would go right till they had a dictator, and the sooner the better.

Raymond, Diary in "Scribner's Monthly," Jan., 1880, p. 422.

In the midst of an army so ill at ease, commanded by generals so hostile to him, Burnside resolved to make another movement against the enemy. On the day after a gloomy Christmas he ordered the entire command to prepare three days' rations, and all the staff departments to be ready with ten or twelve days' supplies. He intended to cross the river this time six or seven miles below Fredericksburg. In connection with this movement he had organized a formidable cavalry expedition through Virginia, to break the communications of the enemy, and to join General Peck at Suffolk. He communicated his intentions to none but his staff. Just as the expedition was starting he received a telegram from the President, saying, "I have good reason for saying you must not make a general movement of the army without letting me know." The reason for this abrupt interference of the President in Burnside's plan is given in the report of the Committee on the Conduct of the War. On the evening of the 29th of December Generals John Newton and John Cochrane, having leave of absence to go to Washington, sought an interview with the President, and informed him that a forward movement was contemplated by General Burnside, and that the army was in such a state of demoralization

1862.

Burnside, Testimony, Report Committee on Conduct of the War. Part I., p. 716.

W. R. Vol. XXI., pp. 96, 900.

Report Committee on Conduct of the War. Part I., p. 730 *et seq.*

CHAP. X. and distrust that such a movement would only result in great disaster. Though both these generals, when examined by the Committee as to their conduct in the matter, earnestly disclaimed having said anything to Burnside's discredit, it is certain that their representations made a deep and painful impression upon the President. General Burnside at once went to Washington to ask for an explanation of the restraining dispatch, and the President told him frankly what he had heard, without, however, giving the names of his informants.

General Burnside returned to his camp without any definite settlement of the interrupted campaign. It is hard to conceive a more difficult position than that which he now occupied. He felt that he ought to go forward, and yet that every movement was paralyzed by the distrust of those about him, and that he was not sufficiently sustained by the confidence of the Government. To give an illustration of the way he was beset on every side: on the same day in which he received the President's dispatch, warning him against a forward movement, General Halleck telegraphed him that for the success of the operation of Dix and Foster it would be necessary for him "to occupy and press the enemy." On the same day also General Meigs, one of the wisest heads in the army, wrote him to advance, saying, "Every day weakens your army; every good day lost is a golden opportunity in the career of our country — lost forever. Exhaustion steals over the country. Confidence and hope are dying. . . It seems to me that the army should move bodily up the Rappahannock, cross the river, aim for a point on the railroad between

Dec. 30, 1862.

W. R. Vol. XXI., p. 899.

the rebels and Richmond, and send forward cavalry and light troops to break up the road and intercept retreat" — a long letter in this strain. CHAP. X. W. R. Vol. XXI., pp. 917, 918.

The President had a keen and distressing sense of the needs of the situation. On the morning of the 1st of January, after a full conversation with General Burnside, feeling how gloomy was the outlook for the coming year and deeply sympathizing with Burnside's painful embarrassment, he found time, even in the midst of the conventional festivities of New Year's day, to write this letter to the General-in-Chief: "General Burnside wishes to cross the Rappahannock with his army, but his grand division commanders all oppose the movement. If in such a difficulty as this you do not help, you fail me precisely in the point for which I sought your assistance. You know what General Burnside's plan is, and it is my wish that you go with him to the ground, examine it as far as practicable, confer with the officers, getting their judgment, and ascertaining their temper; in a word, gather all the elements for forming a judgment of your own, and then tell General Burnside that you do approve, or that you do not approve, his plan. Your military skill is useless to me if you will not do this." This letter was handed to General Halleck by Stanton at the usual New Year's reception at the house of the Secretary of War. Halleck interpreted it, as he could hardly avoid doing, as containing a certain tone of criticism of himself and of his conduct towards generals in the field. He therefore instantly requested to be relieved from his duties as General-in-Chief. While it was true that the President felt there was too much shrinking from legitimate 1863. Ibid., p. 940.

CHAP. X. responsibility on the part of General Halleck, he did not wish to relieve him of his office nor to wound his feelings. He therefore withdrew his letter, writing upon it that he had done so because it was "considered harsh by General Halleck," and the General-in-Chief withdrew his request to be relieved.

See W. R. Vol. XXI., p. 940.

Lincoln to Halleck, Jan. 1, 1863. MS.

1863. General Burnside, after leaving the President on that unfestive New Year's morning, went back to his lodgings and wrote him a letter in which he said: "The Secretary to War has not the confidence of the officers and soldiers, and I feel sure that he has not the confidence of the country. . . The same opinion applies with equal force in regard to General Halleck. It seems to be the universal opinion that the movements of the army have not been planned with a view to coöperation and mutual assistance." He then goes on to refer to his first attempt, and its failure, and his conviction that another movement should be made, but that he is not sustained in this by a single grand division commander in his army; "doubtless," he says, "this difference of opinion between my general officers and myself results from a lack of confidence in me. In this case it is highly necessary that this army should be commanded by some other officer to whom I will most cheerfully give way. . . It is my belief that I ought to retire to private life." If the President ever received this letter he did not retain it. General Burnside said to the Committee of Congress that he expressed these same views verbally to the Secretary of War and the General-in-Chief, but this was contradicted by both these gentlemen. The correspondence of

W. R. Vol. XXI., p. 941.

GENERAL WILLIAM B. FRANKLIN.

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those days is full of misunderstandings, which may easily be accounted for by the perturbation of spirit in which General Burnside passed most of his time.

1863.

On the 5th of January, General Burnside again wrote, asking the Government to authorize another forward movement, to which Halleck replied, assenting in general terms, but still declining to give explicit directions. "It will not do," he says, "to keep your large army inactive. As you yourself admit, it devolves on you to decide upon the time, place, and character of the crossing which you may attempt." The President, on the 8th of January, indorsed this letter of Halleck's in the following words: "I approve this letter. I deplore the want of concurrence with you in opinion by your general officers, but I do not see the remedy. Be cautious and do not understand that the Government or country is driving you. I do not yet see how I could profit by changing the command of the Army of the Potomac, and if I did I should not wish to do it by accepting the resignation of your commission."

W. R. Vol. XXI., p. 945.

Ibid., p. 954.

Ibid.

Upon this General Burnside again resolved to move on his own reponsibility. This resolution resulted in the famous "mud march" of the 21st of January. It was begun amid a throng of evil auguries. His immediate subordinates had protested against it with the greatest vehemence. They said flatly that it must fail; that the enemy were too strong, and our own troops not in a fighting mood. General Franklin — Mr. Raymond says — gave one ludicrous reason for not moving: that the New Jersey Legislature had just elected a

"Scribner's Monthly," Jan., 1880, p. 421.

CHAP. X. secessionist, named Wall, to the United States Senate, and the New Jersey troops in his division had therefore concluded that their State was opposed to the war.[1] Hooker also protested; Woodbury of the engineers declared that the movement was impossible. Yet General Burnside went on in a sort of depressed and sullen obstinacy, giving his orders to his recusant commanders for this foredoomed enterprise. On the day set for its accomplishment the elements conspired to fulfill the prophecies of Hooker and Franklin and to make the march impossible. A cold, drizzling rain set in;[2] the ground speedily became like a sea of glue, absolutely impracticable for wagons or artillery;

[1] There is no denying the deep-seated disaffection which existed in New Jersey at this time and for some months later. The Legislature of that State passed on the 18th of March, 1863, a series of resolutions, protesting against "a war urged with the insurgent States for the accomplishment of unconstitutional or partisan purposes," and recommending the appointment of Commissioners to treat for peace. This factious suggestion did not meet with the approval of so many of the soldiers as General Franklin, perhaps, might have expected. One regiment, the Eleventh, made a fiery and indignant repudiation of it, even before it had passed the Legislature, saying, "We consider the passage, or even the introduction, of the so-called Peace Resolutions as wicked, weak, and cowardly, tending to aid by their sympathy the rebels seeking to destroy the Republic."

[2] There is evidence that many of the officers under Burnside hailed this deluge as a happy deliverance. General Franklin, in a letter to General Halleck, says, "I lost all confidence in his ability at the first Fredericksburg battle. There was not a man in my command who did not believe that everything he would undertake would fail, and General Hooker informed me that that was the general feeling in his command. General Sumner's feelings were not so decided, but they were nearly so. You can imagine that the beds of the grand division commanders were not of roses, and I came to the conclusion that Burnside was fast losing his mind; so I looked upon the rain which stopped his second attempt to cross the river as almost a Providential interference in our behalf." — W. R. Vol. XXI., p. 1010. See also evidence of Newton and Cochrane — Committee on Conduct of the War.

everything upon wheels sunk into the bottomless mud; it took twenty horses to start a single caisson; hundreds of them died in harness; but still the general persisted. He ordered his cavalry to dismount and make pack-horses of their animals for carrying forage and light commissary stores to the front. But the rain persisted also, and it soon became a simple impossibility to go forward. The enemy of course got intelligence of the movement, and when the Union pickets arrived at the river by Banks's Ford they heard, through the darkness on the other side, the chaffing voices of their enemies offering to "come over and help them build their bridges." Burnside himself, at last, acknowledged that the expedition had failed, and the army struggled and floundered through the wilderness of mud back to their camp. The march was made in high good humor, the soldiers laughing and joking at their ill-luck with that comic brightness characteristic of Americans in difficult circumstances.

Nevertheless, it could no longer be denied that General Burnside's usefulness as commander of that army was at an end. He felt that his position had become impossible, if the officers in command under him were to remain. On the 23d of January he determined to make a final issue between himself and the incorrigible critics in his command. He prepared an order dismissing from the army General Joseph Hooker for "unjust and unnecessary criticisms of the actions of his superior officers," as a man "unfit to hold an important commission during a crisis like the present when so much patience, charity, confidence, consideration,

1863.

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and patriotism are due from every soldier in the field"; dismissing General W. T. H. Brooks for complaining of the policy of the Government and for using language tending to demoralize his command; Generals Newton and Cochrane for their furtive visit to the President; and the fourth paragraph of this drastic order relieved from duty Generals Franklin, W. F. Smith, Samuel D. Sturgis, Edward Ferrero, John Cochrane, and Lieutenant-Colonel J. H. Taylor. Armed with this order and with his own letter of resignation, he asked for an audience with the President, and on the 24th placed before him the alternative of accepting one or the other.

W. R. Vol. XXI., pp. 998, 999.

Jan., 1863.

Mr. Lincoln saw there was no longer any time for adjournment or compromise. A commander who had lost the confidence of his soldiers could not regain it by dismissing a few of his generals. The experiment of placing General Burnside at the head of the principal army of the Union had failed. The only question was now as to the choice of his successor. There is no doubt that public opinion pointed rather to Hooker than to any one else. He was the most esteemed of all the generals of the Army of the Potomac, at least, and so soon after the ill-success of Pope the President was not inclined to risk the chances of bringing another general from the West. It is believed that he took no advice in regard to the matter. General Halleck says "the removal of General Burnside and appointment of General Hooker was the sole act of the President." Mr. Lincoln was not unaware of General Hooker's attitude towards Burnside and towards himself. His language had been in the highest degree improper and indiscreet. But, as in the case of Mc-

W. R. Vol. XXI., p. 1009.

Clellan, when he thought his services were of value he employed him and gave him his full support and confidence, after what would have seemed to most people his unpardonable conduct towards Pope and himself, so in this crisis, believing that Hooker possessed in a great degree the confidence of the country and the soldiers, and that he had the capacity and the energy to lead the army to success, he again took the full responsibility upon himself, and the next day informed General Burnside of his determination. Burnside replied that he was willing to accept that as the best solution of the problem; that no one would be happier than himself if General Hooker could lead that army to victory. He then again tendered his resignation, which the President refused to receive, but gave him leave of absence for thirty days, after which he placed him in command of the Department of the Ohio.

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Report Committee on Conduct of the War. Part I., p. 721.

Burnside took leave of the army in a manly and chivalrous order commending the "brave and skillful general" who was to succeed him to that "cordial support and coöperation" which — it must be admitted — he had himself hardly received. As Generals Sumner and Franklin were both of higher rank than Hooker they were relieved from service in the Army of the Potomac and soon afterwards assigned to other commands, the one in the West, the other on the Southern coast. Franklin's undoubted talents never again had an opportunity for exercise in a field worthy of them; his subsequent career suffered from the severe judgment passed upon him by the Committee on the Conduct of the War, and from the controversies which grew out of it. Sumner never assumed his new com-

Jan. 26, 1863. W. R. Vol. XXI., p. 1005.

Ibid.

CHAP. X. 1863.

mand. He died at Syracuse, New York, on the 21st of March, universally respected and beloved by all who were able to appreciate his noble qualities, his valor, and his patriotism. He was the finest type the army possessed of the old-fashioned soldier: the quick eye, the strong arm, the unquestioning spirit of loyal obedience; the simple heart that knew not a pulse of fear or of hesitation; that beat only for his friends, his flag, and his God.

CHAPTER XI

FINANCIAL MEASURES

THE wisdom displayed by Mr. Lincoln in choosing his Cabinet, not from among his personal adherents, but from among the most eminent representatives of the Republicans of the country, shone out more and more clearly as the war went on, and its enormous exigencies tested the utmost powers of each member of the Government. A great orator and statesman has said that in this respect Mr. Lincoln showed at the outset that nature had fitted him for a ruler, and accident only had hid his earlier life in obscurity. Mr. Evarts says:

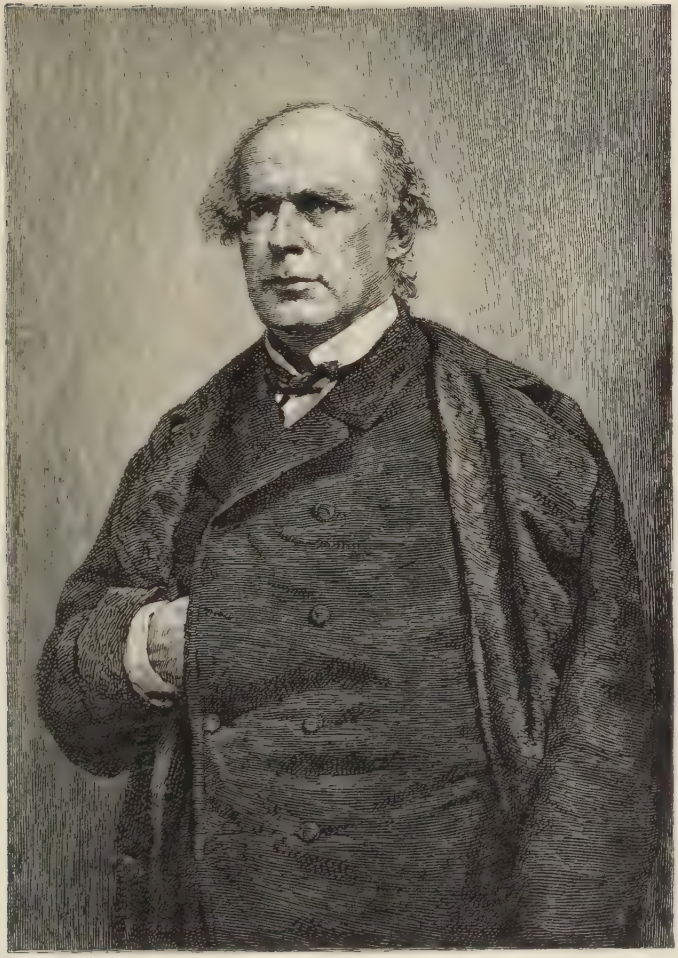
> I cannot hesitate to think that the presence of Mr. Seward and Mr. Chase in the great offices of State and Treasury, and their faithful concurrence in the public service and the public repute of the President's conduct of the Government, gave to the people all the benefits which might have justly been expected from the election of either to be himself the head of the Government, and much else besides. I know of no warrant in the qualities of human nature to have hoped that either of these great political leaders would have made as good a minister under the Administration of the other as President, as both of them did under the Administration of Mr. Lincoln. I see nothing in Mr. Lincoln's great qualities and great authority with this people which could have commensurately served our need in any place, in the conduct of affairs, except at their head.

W. M. Evarts, Eulogy on Chase delivered at Dartmouth College.

CHAP. XI.

We do not question that posterity will confirm this sober and impartial judgment of one of the most intelligent of contemporary observers. Lincoln, Chase, and Seward were, by a long interval, the first three Republicans of their time, and each, by what would almost appear a special favor of Providence, was placed in a position where he could be of most unquestioned service to the country. Had either of the three, except Lincoln, been President, the nation must have lost the inestimable services of the other two. We have already dwelt at some length upon the responsibility which devolved during these years upon the Secretary of State, and upon the unfailing courage, sagacity, and industry with which he met it. Before recounting an incident which threatened for a time to deprive the President of the powerful assistance of his two great subordinates, it will be necessary to review, in a manner however brief and inadequate, some of the main points in the Administration of the finances during the war.

The Republican party came to power at a time when its adversaries had reduced the credit of the country to a point which now appears difficult to believe. Even before the election of Mr. Lincoln, Howell Cobb, the Secretary of the Treasury, found it difficult to obtain the small sums necessary to meet the ordinary expenses of the Government, and early in the session of Congress which began in December, 1860, after the election of Mr. Lincoln, amid the gathering gloom of imminent civil war, Congress authorized the issue of ten millions of Treasury notes, payable in one year, to be issued at the best rate obtainable by the Secretary of the Treasury.



SALMON P. CHASE.

That officer having advertised for bids for half the amount authorized, only a small sum was offered, the rates ranging from ten to thirty-six per cent. The Secretary accepted the offers at twelve, obtaining, even at that exorbitant rate, a meager sum. Afterwards a syndicate of bankers, upon hard conditions proposed by themselves, took the balance of the five millions at twelve per cent. A month later, when Mr. Cobb had retired and John A. Dix had assumed the charge of the Treasury, the slight increase of public confidence derived from the character of the new Secretary enabled him to dispose of the other five millions at an average of ten and five-eighths per cent. In February, Congress having authorized a further loan of twenty-five millions at six per cent., Mr. Dix was able to obtain eight millions at a discount of nearly ten per cent. CHAP. XI.

It was in this depressed and discouraging state of the public finances that Salmon P. Chase took charge of the Treasury. Without any special previous experience, without any other preparation for his exacting task than great natural abilities, unswerving integrity and fidelity, and unwearying industry, he grappled with the difficulties of the situation in a manner which won him the plaudits of the civilized world and will forever enshrine his name in the memory of his fellow-citizens. To quote Mr. Evarts again:

> The exactions of the place knew no limits. A people wholly unaccustomed to the pressure of taxation, and with an absolute horror of a national debt, was to be rapidly subjected to the first without stint, and to be buried under a mountain of the last. Taxes which should support military operations on the largest scale, and yet not break the back of industry, which alone could pay

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them; loans, in every form that financial skill could devise, and to the farthest verge of the public credit; and finally, the extreme resort of governments under the last stress and necessity, the subversion of the legal tender, by the substitution of what has been aptly and accurately called the coined credit of the Government for its coined money — all these exigencies and all these expedients made up the daily problems of the Secretary's life. . . Whether the genius of Hamilton, dealing with great difficulties, transcended that of Chase, meeting the largest exigencies with greater resources, is an unprofitable speculation. They stand together, in the judgment of their countrymen, the great financiers of our history.

Immediately upon assuming office Mr. Chase addressed himself to the difficult work before him. The only provisions which had been made by law for the support of the Government were the fragments of the loan, authorized, but unsold, of his predecessor. Satisfied that the rates at which money had been borrowed both by Cobb and by Dix were unnecessarily degrading to the national credit, he firmly refused terms similar to those which they had accepted, and succeeded in borrowing $3,000,000, none of it at a lower rate than ninety-four, and a few days later he borrowed $5,000,000 more at par. Even in May, after the outbreak of the war, he was able to place some $9,000,000 of Government loans and notes at a rate only a little below their face value. These were of course but temporary makeshifts, based upon previous legislation; but when Congress met on the Fourth of July, in that first special session called by President Lincoln, an entirely new system of finance had to be instituted. The national debt on the first of July was $90,000,000, and there was a balance in the Treasury of only $2,000,000.

There was something appalling in the sudden and monstrous increase of the expenses of the Government as a consequence of the war. The appropriations for the fiscal year 1860–61 were but $79,000,000, and the estimates for the year following, notwithstanding the threatening outlook, were only for $75,000,000. Nobody foresaw the coming exigencies, no provision was made to meet them. Mr. Chase's estimates for the first fiscal year of his administration reached the astounding aggregate of $318,500,000, but before the short session of Congress adjourned even this enormous sum was found inadequate. To meet these immense demands he proposed to raise $80,000,000 by taxes and $240,000,000 by loans. By increasing the taxes upon imports he expected to add $27,000,000 to the $30,000,000 already derived from the tariff, and $3,000,000 from miscellaneous sources, made up $60,000,000, leaving $20,000,000 to be derived from direct taxes, and the excise.[1] Congress responded with the greatest decision and patriotism to the proposition of the Secretary. They authorized, on the 17th of July, a loan of $250,000,000, and passed laws increasing duties on a great number of articles; they apportioned a direct tax of $20,000,000 among the States, which was cheerfully paid by the loyal States, and an unsuccessful attempt was made to enforce it by commissioners for the States in rebellion. The estimates voted for the army were $207,000,000; for the navy, $56,000,000; and only $1,300,000 for civil and miscellaneous purposes. Every day during the summer and autumn the expenses of the war increased; for the last

[1] Round numbers are generally used in this chapter.

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quarter of the year they averaged nearly $50,000,000 a month.

One of the first measures of relief adopted by the Secretary under the authority of Congress was the issue of the so-called "demand-notes," payable in coin, for the payment of salaries or other debts of the United States, and by a later act made receivable for public dues. There was, at first, a great distrust of this form of paper money, and the Secretary of the Treasury and other public officers, in order to create confidence, joined in an agreement to receive it in payment of their salaries. General Scott issued a circular to the army announcing the issue of paper money and advising its acceptance. Several corporations declined to accept the notes in payment of freight. There is an instance recorded of a bank in New York refusing to accept a large amount of them except as a special deposit, which deposit was afterwards withdrawn, the value of the notes having increased with the rise of gold, in which they were payable, to fifty per cent. premium in other paper money. But this and other like expedients gave only temporary relief. For the permanent and wholesome administration of financial affairs a great national loan was necessary, and Mr. Chase held, in the city of New York, on the 19th of August, 1861, a conference with the representatives of the principal bankers of the United States. He laid before them, with equal eloquence and judgment, not only the needs of the Government, but the safety and value of its securities; and after a long and earnest discussion, during the course of which it seemed at one time possible that his mission would result in

J. J. KNOX, "United States Notes," p. 89.

failure, he formed a syndicate of banks which advanced the Government $50,000,000, and after this loan was successfully placed, $50,000,000 more were derived from the same source, the Government paying seven and three-tenths per cent. for the money; and later he used the authority conferred upon him by the act of July 17, 1861, to issue $50,000,000 more of six per cent. bonds at a rate making them equivalent to seven per cents. CHAP. XI.

When Congress met in December and the Secretary in his first annual report gave an account of his stewardship, he reported an aggregate of $197,000,000 realized from loans in all forms. The receipts from customs were less than had been expected, and on the other hand the expenditures had grown to a sum much larger than in June had been imagined possible. The estimates of the summer session were based upon an army of 300,000 men; double that number were now under arms. The pay and the rations of soldiers and sailors had also been augmented, and the Secretary found himself under the necessity of asking increased appropriations to the amount of $200,000,000. To meet this needed sum he proposed to increase the tariff and the direct tax, to impose duties on liquors and tobacco, on notes and deeds, and to modify the income tax to the advantage of the Government. In the presence of the vast obligations devolving upon the Administration he did not hesitate to face the facts, and with a courage unusual in history, and a sagacity as surprising as his courage, he announced to Congress that the public debt, which on the 1st of July, 1860, was but $64,000,000, and on the 1st of July, 1861,

CHAP. XI. was $90,000,000, would probably amount on the 1st of July, 1862, to $517,000,000.[1]

It was apparent that the volume of currency in the country was not sufficient for the enormous requirements of the public expenditure. The banks could neither pay coin to the Government for bonds, nor dispose of them to their customers for specie. The weaker institutions were already tottering, and the stronger ones feared a crisis which would result in universal disaster. They met in convention on the 27th of December and agreed upon a suspension of specie payments, which took place the following day. The Government necessarily followed the example of the banks, and the new year began with the melancholy spectacle of all the public and private institutions of the country redeeming their broken promises with new ones.

The public debt had risen to $300,000,000; the treasury was almost empty; the daily expenditures amounted to nearly $2,000,000. It was estimated that $350,000,000 were needed to pay the expenses of the Government to the close of the fiscal year, and the treasury had means for meeting the drafts of the Government for less than two months. In the world of finance, as well as in the world of politics, it was generally agreed that the only resort of the Government was paper money. Leading bankers throughout the United States urged this upon the Secretary of the Treasury as the only practicable expedient. The leading

[1] It actually was $524,000,000 on the 1st of July, 1862, and on the 1st of July following it was $1,100,000,000; the Secretary of the Treasury having estimated it in his report of the preceding December at $1,000,000,000.

statesmen in both Houses of Congress were brought with extreme reluctance to the same conclusion. To no one was this decision more painful than to Mr. Chase. He agreed with the greatest of his predecessors, in that famous report which has become a classic in our politics and our finances, that —

> The emitting of paper money by the authority of Government is wisely prohibited to the individual States by the national Constitution; and the spirit of that prohibition ought not to be disregarded by the Government of the United States. . . The wisdom of the Government will be shown in never trusting itself with the use of so seducing and dangerous an expedient. . . The stamping of paper is an operation so much easier than the laying of taxes, that a government in the practice of paper emissions would rarely fail in any such emergency to indulge itself too far in the employment of that resource to avoid as much as possible one less auspicious to present popularity. If it should not even be carried so far as to be rendered an absolute bubble, it would at least be likely to be extended to a degree which would occasion an inflated and artificial state of things incompatible with the regular and prosperous course of the political economy.

Report of Alexander Hamilton on a National Bank. 1790.

But in spite of all this reluctance Mr. Chase felt that an emergency was upon the Government from which this was the only issue. He saw that the corporate institutions of the country would not receive the notes of the Government unless they were made a legal tender by act of Congress. "This state of things," he wrote, "was the high road to ruin, and I did not hesitate as to the remedy." He threw the entire weight of his influence upon his friends in Congress and urged them to prompt and thorough action. In a letter to Mr.

CHAP. XI. Jan. 29, 1862. Stevens, of the Committee of Ways and Means, he said:

> The provision making the United States notes a legal tender has doubtless been well considered by the committee, and their conclusion needs no support from any observation of mine. I think it my duty to say, however, that in respect to this provision my reflections have conducted me to the same conclusion they have reached. It is not unknown to them that I have felt, nor do I wish to conceal that I now feel, a great aversion to making anything but coin a legal tender in payment of debts. It has been my anxious wish to avoid the necessity of such legislation. It is at present impossible, however, in consequence of the large expenditures entailed by the war and the suspension of the banks, to procure sufficient coin for current disbursements. It has therefore become indispensably necessary that we should resort to the issue of United States notes. The making them a legal tender might still be avoided if the willingness manifested by the people generally, by railroad companies, and by many of the banking institutions, to receive and pay them as money in all transactions were absolutely, or practically, universal; but, unfortunately, there are some persons and some institutions which refuse to receive and pay them, and whose action tends not merely to the unnecessary depreciation of the notes, but to establish discriminations in business against those who in this matter give a cordial support to the Government and in favor of those who do not. Such discriminations should, if possible, be prevented; and the provision making the notes a legal tender, in a great measure at least prevents it, by putting all citizens in this respect upon the same level both of rights and duties.

Schuckers, "Life of S. P. Chase," p. 244.

And several days later, on hearing some intimation that the committee thought he was not specially earnest in desiring the passage of the bill, he wrote to Mr. Spaulding:

> It is true that I came with reluctance to the conclusion that the legal-tender clause is a necessity, but I came to it

decidedly, and I support it earnestly. . . Immediate action is of great importance; the treasury is nearly empty. I have been obliged to draw for the last instalment of the November loan. As soon as it is paid I fear the banks generally will refuse to receive United States notes. You will see the necessity of urging the bill through without more delay.

In both Houses of Congress the measure received the most violent denunciation on the part of those opposed to it, and even those who voted in favor of it explained their votes in speeches filled with deprecation of the necessity which demanded it. Mr. Sumner, after reciting in an eloquent and impassioned speech the evil which he thought would result from such a measure, concluded by saying:

If I mention these things it is because of the unfeigned solicitude I feel with regard to this measure, and not with the view of arguing against the exercise of a constitutional power, when, in the opinion of the Government in which I place trust, the necessity for its exercise has arrived. Surely, we must all be against paper money, we must all insist upon maintaining the integrity of the Government; and we must all set our faces against any proposition like the present, except as a temporary expedient, rendered imperative by the exigency of the hour. . . Others may doubt if the exigency is sufficiently imperative; but the Secretary of the Treasury, whose duty it is to understand the occasion, does not doubt. In his opinion the war requires this sacrifice. Whatever may be the national resources, they are not now within reach, except by summary process. Reluctantly, painfully, I consent that the process should issue. And yet I cannot give such a vote without warning the Government against the dangers from such an experiment. The medicine of the Constitution must not become its daily bread.

Mr. Fessenden, Chairman of the Finance Committee, opened the debate in the Senate. He said:

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The ground upon which this clause making these notes a legal tender is put, I have already stated. It is put upon the ground of absolute, overwhelming necessity; that the Government has now arrived at that point where it must have funds, and those funds are not to be obtained from ordinary sources, or from any of the expedients to which we have heretofore had recourse, and therefore this new, anomalous, and remarkable provision must be resorted to in order to enable the Government to pay off the debt that it now owes, and afford circulation which will be available for other purposes. The question then is, does the necessity exist?

He did not hesitate to say that he would advocate the use of the strong arm of the Government to any extent in order to accomplish the purpose in which we are engaged. He would take the money of any citizen against his will to sustain the Government, if nothing else was left, and bid him wait until the Government could pay him.

It is a contribution which every man is bound to make under the circumstances. We can take all the property of any citizen. That is what is called a forced contribution. . . The question after all returns: Is this measure absolutely indispensable to procure means? If so, as I said before, necessity knows no law. Say what you will, nobody can deny that it is bad faith. If it be necessary for the salvation of the Government, all considerations of this kind must yield; but to make the best of it, it is bad faith, and encourages bad morality, both in public and private. Going to the extent that it does, to say that notes thus issued shall be receivable in payment of all private obligations, however contracted, is in its very essence a wrong, for it compels one man to take from his neighbor, in payment of a debt, that which he would not otherwise receive or be obliged to receive, and what is probably not full payment.

Mr. Collamer argued strongly against the legal-tender clause of the bill. He considered it neither

necessary nor constitutional. He referred to the debates in the Convention that formed the Constitution to show that coin was the only legal tender contemplated by the founders of the Government. There was an express power to borrow money on the credit of the United States; when there is an express power there can be no implied power to do the same thing; there were two modes of replenishing the treasury; one by taxation, the other by borrowing; to borrow there must be a lender and a borrower, and both should act voluntarily and not compel the lender to part with his money without an inducement. The operation of this bill was not so honorable or honest as a forced loan.

Mr. Spaulding, Mr. Conkling, Mr. Morrill, and Mr. Pendleton of the House, Mr. Bayard and others of the Senate, spoke in the same strain of sorrowful apprehension, but the bill became a law on the 25th of February, 1862.[1]

This important law, which Mr. Chase, as Secretary of the Treasury, urged upon Congress, and which Mr. Chase, as Chief-Justice of the United States, afterwards decided to be unconstitutional,[2]

[1] "'An act to authorize the issue of United States notes, and for the refunding or funding thereof; and for refunding the floating debt of the United States,' which was signed by President Lincoln on February 25, 1862, is the first law ever placed upon the statute books making Treasury notes, or anything but gold and silver coin, a legal tender in payment of debts."—John Jay Knox, "United States Notes," p. 117.

[2] In this celebrated decision he said: "It is not surprising that amid the tumult of the late civil war, and under the influence of apprehensions for the safety of the republic almost universal, different views, never before entertained by American statesmen or jurists, were adopted by many. The time was not favorable to considerate reflection upon the constitutional limits of legislative or executive authority. If power was assumed from patriotic motives, the assumption found ready justification in patriotic hearts. Many who doubted yielded their doubts; many who did not doubt were silent. Some who were

CHAP. XI. authorized the issue of $150,000,000 of United States notes not bearing interest, payable at the Treasury of the United States, in denominations of not less than five dollars. These notes were to be received in payment of all debts and demands of every kind due to the United States, except duties on imports, which were payable in coin; and they were to be paid by the United States in satisfaction of all claims against the Government, except for interest upon the public debt, which also was to be paid in coin, the receipts from customs being devoted to this purpose; and these notes were to be lawful money and legal tender in payment of all debts, public and private, within the United States, with the exceptions above mentioned, and they were to be received at par in exchange for Government bonds. By a later act the demand notes were also made a legal tender, as some of the banks had refused to receive them without such provision. It was thought in February that $150,000,000 of this currency would be enough, but in June it was evident that this would not be the case; $150,000,000 more were demanded by the Secretary and at once authorized by Congress. $35,000,000 of this last issue were to be in denominations of less than five dollars.

Even this vast volume of currency did not supply the insatiable demands of the time, and the rapidly

strongly averse to making Government notes a legal tender felt themselves constrained to acquiesce in the views of the advocates of the measure. Not a few who then insisted upon its necessity, or acquiesced in that view, have, since the return of peace, and under the influence of the calmer time, reconsidered their conclusions, and now concur in those which we have just announced. These conclusions seem to us to be fully sanctioned by the letter and spirit of the Constitution."—8 Wall., 625.

increasing popularity of the United States notes, or greenbacks, as they were called, induced the Government to ask, and Congress to grant, a wide extension of the authority to issue them, so that before the war ended $1,250,000,000 of legal tender had been authorized by Congress. Of this $450,000,000 were in legal-tender United States notes; $400,000,000 in Treasury notes payable not more than three years from date, and bearing interest not exceeding six per cent.; $400,000,000 in Treasury notes redeemable after three years, bearing a currency interest not exceeding seven and three-tenths per cent. This full authority was not availed of by the Secretary of the Treasury. The legal tenders outstanding on the 30th of June, 1864, amounted to $600,000,000, and a year later, under the administration of Mr. Fessenden, they amounted to $669,000,000. The public debt at the close of the fiscal year 1864 was $1,740,000,000, and the next year $2,682,000,000, which was increased some $200,000,000 by the necessary expenses that followed as a sequel of the war.[1]

This is not the place to reopen the controversy which outlasted the war and for years afterwards was an element of disorganization in politics and of a bitter and somewhat demoralizing dispute in both Houses of the Congress of the United States. It will probably be the verdict of posterity, as it was

[1] The cost of conducting the war, after it was fully inaugurated, was scarcely at any time less than $30,000,000 a month. At many times it far exceeded that amount. Sometimes it was not less than $90,000,000 a month; and the average expenses of the war, from its inception to its conclusion, may be said to have been about $2,000,000 each day. The public debt reached its maximum on August 31, 1865, on which day it amounted to $2,845,907,626.56.— John J. Knox, "United States Notes."

CHAP. XI. the opinion of the ablest statesmen of the time, that the legal-tender act was a necessary exercise of the powers of the Government in a time of supreme emergency; that the result of that act was all that its advocates hoped for in sustaining the Government in a period of vast and compulsory expenditure; and that the evils which grew out of it, great as they unquestionably were, were not so disastrous as the fears of intelligent economists at the time apprehended.

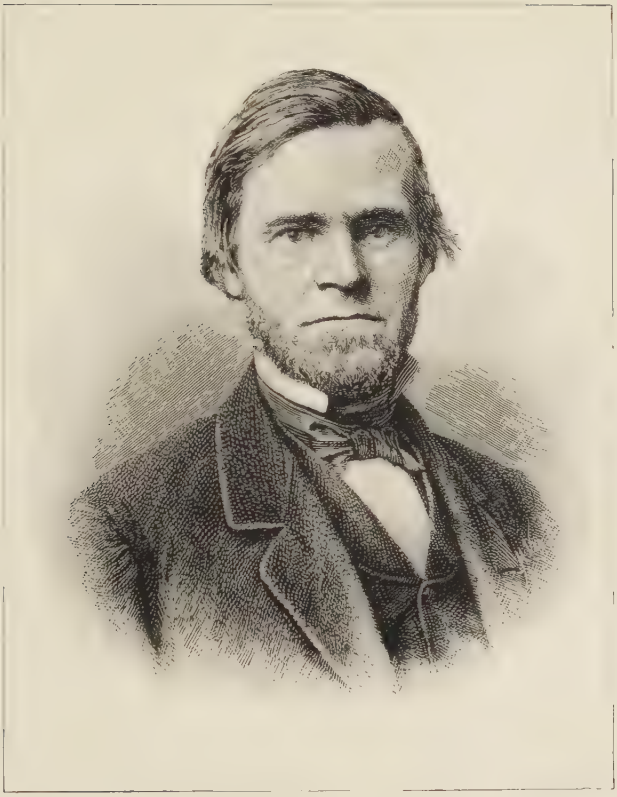
Gold, having been driven from circulation by the legal-tender notes, became at once the favorite commodity for speculation in Wall street, and while the premium upon it rose to a certain extent in proportion to the increase of the volume of paper money, and was subject to violent fluctuations in consequence of military successes or disasters, there was no such method in the course of its quotations as to render them explicable by either of these influences. It had become, so to speak, a fancy stock, and there was no more reason for its wilder fluctuations than for those of other securities which rise and fall in obedience to the currents of Wall street and without reference to intrinsic values. Just before the passage of the legal-tender bill the premium upon gold was 4⅜ per cent., and shortly after it became a law the premium fell to 1½; but it gradually rose until in the middle of July it was 17, in the middle of October 32½, and at the end of the year 34. On the 25th of February, 1863, after the legal-tender law had been in operation for a year, the premium on gold had risen to 72½; the brilliant successes of the National cause at Gettysburg and Vicksburg reduced it to 23½; it rose again in Octo-

ber to 56⅝, and rose no higher than that until the following spring, when on the 14th of April, 1864, it was quoted at 88, and on the 22d of June, as the consequence of an ill-advised bill passed by Congress to prevent speculation in gold, the premium climbed at once to the frightful altitude of 130, falling the day afterwards to 115. On the 1st of July it jumped to 185, on the 2d it fell back to 130, and on the 6th the unfortunate law, born of a short-sighted patriotism, was repealed.

The mischief, however, was not yet over, for five days later there was a rise to 185 above par,—the highest figure attained during the war,—followed by a sharp fall, which continued until gold was quoted on the 26th of September at 87, thus falling nearly 100 points in less than three months. There was no warrant in the financial or the military condition of the country for these wild fluctuations. They were the offspring of the desperate efforts of cupidity and enterprise which found their predestined prey in the fears and apprehensions of more timid speculators. The Secretary of the Treasury was authorized in March, 1864, to sell surplus gold for the purpose of checking this speculation; and in April, the premium having risen to 75, Mr. Chase went in person to New York to try the effect of the sale of "cash gold" upon the trade in phantom gold. The day he arrived the speculators defied him by running the premium to 88. He sold about $11,000,000, reducing the premium to 65, with convulsive fluctuations; but when the pressure of the Treasury was removed the price of gold mounted as before. The same experiment was frequently tried afterwards, with more or less success.

Schuckers, "Life of S. P. Chase," p. 358.

CHAP. XI. The troubles of the time, which had reduced the treasury of the United States to a condition of impoverishment, had exercised, as was natural, exactly the contrary effect upon the banks of New York. The timidity of capital had accumulated a great surplus of money in these institutions, with a far smaller number of loans and discounts than usual. The deposits amounted at the end of 1861 to $146,000,000. At the suggestion of John J. Cisco, the Assistant Treasurer in New York, the Secretary of the Treasury adopted a system of temporary loans which was sanctioned by Congress in a clause of the legal-tender law, and the authority thus given was increased by successive acts until the limit was fixed at $150,000,000. These loans were not only of great advantage to the Government as well as to the lenders, but they also served as a useful balance to the money market. In times of severe pressure the reimbursement of large sums was often the means of temporary relief. Another expedient, authorized by Congress on the 1st of March, 1862, was the issuing of certificates of indebtedness to such creditors of the United States as chose to receive them in payment of audited accounts. They were payable one year from date, with interest at six per cent. The power to issue them was unlimited, and their extensive issue led at last to their serious depreciation. Another important clause of the legal-tender act, in addition to those we have mentioned, was that which authorized the Secretary of the Treasury to issue coupon or registered bonds to an amount not exceeding $500,000,000, redeemable at the pleasure of the United States after five years and payable twenty years from date,



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and bearing interest at the rate of six per cent. per annum, payable semi-annually. They were to be exempt from taxation by State authority, and the coin from duties on imports was to be set aside as a special fund for the payment of interest on the bonds and notes of the United States and for other specified purposes. These were the famous "five-twenty" bonds, which, issued at first at a slight discount below par in paper, justified the faith and the sagacity of their earliest purchasers by a steady rise during all the years of their existence, and were all paid in gold, or converted into other securities, long before the time fixed for their redemption. CHAP. XI.

"All these measures," the Secretary said in his annual report of December, 1862, "worked well." If Congress had passed at the previous session the national banking law which he urged upon it, he thought that no financial necessity would at that time have demanded additional legislation. But the bill which had been introduced for that purpose a year before had found few supporters. Its only advocate of prominence in the House of Representatives was Samuel Hooper of Massachusetts, a gentleman whose sound judgment and large knowledge of financial subjects gave great and deserved weight to his opinions. He could do nothing more at the moment than to obtain leave to bring in a bill for that purpose; but in the course of the year that followed, the absolute necessity for some such measure became every day more apparent. The coin in the country, variously estimated at from $150,000,000 to $210,000,000, was absolutely inadequate to the demands of the time. The system of State banks in existence at the beginning

CHAP. XI. of the war was not only incommensurate to the needs of the country, but radically vicious in itself. There was no uniformity of credit, no guaranty whatever of authenticity in circulation. Out of 1500 banks there were said to be fewer than 300 whose notes were not counterfeited. There was but a comparatively small number whose notes were not subject to discount outside of the State in which they were issued, and a citizen traveling from the Mississippi to the Hudson found the contents of his wallet changing in value whenever he crossed a State line. Of course, with the immense demand for currency created by the war, all these evils were greatly increased and aggravated, and when Congress met again in December, 1862, the Secretary urged anew, with the added weight of authority which came from a more fully matured plan and an enlarged experience, the scheme, which had been treated with neglect the year before, for establishing a safe and uniform currency throughout the nation.

The National Bank Act was prepared, in accordance with the views of Mr. Chase, by E. G. Spaulding of New York and Samuel Hooper of Massachusetts, who were members of the Committee of Ways and Means, and during the month of December, 1861, it was printed for the use of that committee. The bill encountered most earnest opposition in the committee, which was busily engaged on the loan and internal-revenue bills and other important work, and it was finally laid aside. In his report for 1862, Mr. Chase again, notwithstanding the suspension of specie payments, earnestly advocated the measure. He said that

among the advantages which would arise from its passage would be "that the United States bonds would be required for banking purposes, a steady market would be established, and their negotiation greatly facilitated. . . It is not easy to appreciate the full benefits of such conditions to a Government obliged to borrow"; it would "reconcile as far as practicable the interests of existing institutions with those of the whole people," and would supply "a firm anchorage to the union of the States."

The same bill which had been printed for the use of the Committee of Ways and Means was afterwards introduced by Mr. Sherman and referred to the Finance Committee of the Senate, from which it was reported by him on February 2, 1863, with amendments. Ten days later it passed that body by a vote of 23 to 21; and on the 20th of the same month it also passed the House of Representatives by a vote of 78 to 64.

The bill is understood to have had the sanction of every member of the Administration, and President Lincoln earnestly advocated its passage in his annual message in 1862; and in 1863 he said:

> The enactment by Congress of a national banking law has proved a valuable support of the public credit, and the general legislation in relation to loans has fully answered the expectations of its favorers. Some amendments may be required to perfect existing laws, but no change in their principles or general scope is believed to be needed.

Again, in 1864, he thus referred to it:

> The national banking system is proving to be acceptable to capitalists and to the people. . . Changes from State systems to the national system are rapidly taking place, and it is hoped that very soon there will be in the

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United States no banks of issue not authorized by Congress, and no bank-note circulation not secured by the Government. That the Government and the people will derive great benefit from this change in the banking system of the country can hardly be questioned. The national system will create a reliable and permanent influence in support of the national credit, and protect the people against losses in the use of paper money. Whether or not any further legislation is advisable for the suppression of State bank issues, it will be for Congress to determine. It seems quite clear that the Treasury cannot be satisfactorily conducted unless the Government can exercise a restraining power over the bank-note circulation of the country.

See address of J. J. Knox before the Merchants' Association of Boston, Nov. 27, 1880.

The bill was warmly advocated by those who appreciated its advantages, and as earnestly opposed by those who thought they foresaw the growth of a powerful monetary system dangerous to the popular liberties. Its chief opponent in the Senate was Collamer, who ably represented the traditions of the past; it was most efficiently advocated by John Sherman of Ohio, to whom was reserved a part of great honor and usefulness in bringing to a close the financial history of the war.[1]

[1] "Among those who voted in its favor on its final passage in the Senate were Chandler and Howard of Michigan, Sherman and Wade of Ohio, Wilmot of Pennsylvania, with Morrill of Maine, and six other New England Senators, among whom was Fessenden, who was Chairman of the Finance Committee of the Senate, and Sumner, and Wilson. Three Senators only from the Middle States voted in its favor (Harris, Ten Eyck, and Wilmot). The two Senators from Vermont (Collamer and Foote) voted against it, and one from Connecticut (Dixon), and seven from the Middle States, among whom were Cowan of Pennsylvania and King of New York. In the passage of the act in the House, some of the most eminent of the representatives from New England and New York, now distinguished members of the Senate, voted against it. The bill was thoroughly revised, discussed, and re-passed a little more than one year afterwards (June 3, 1864), all of the Senators from New England then voting in its favor, including Collamer and Foote from Vermont, and all of the

The principal features of this comprehensive scheme were to open to private capital the business of national banking so freely that there could be no reasonable accusation of privilege or monopoly; to give to the whole system of banks a homogeneous circulation of notes, having a common impression, authenticated by a common authority, made safe by an adequate provision of specie, and secured for redemption by the pledge of United States bonds deposited in Washington; and finally, by the Act of March 3, 1865, to tax out of existence the circulation of the banks organized under State laws. The whole system being thus based upon Government bonds, several hundreds of millions of United States notes were funded in bonds. It was the Secretary's belief, afterwards fully justified under the wise and masterly administration of Mr. Sherman, that this system of national banks would be of invaluable assistance in the resumption of specie payment by the Government. He said:

If temporarily these associations redeem their issues with United States notes, resumption of specie payment will not thereby be delayed or endangered, but hastened and secured; for, just as soon as victory shall restore peace, the ample revenue, already secured by wise legislation will enable the Government through advantageous

Senators from the Middle States who were present, except the Senators from Pennsylvania and from Delaware. It received the support and vote also of many Senators from the West, among whom were Sherman, Ramsy, Lane of Indiana, Doolittle, and Trumbull, the latter having previously voted against it.

"In the House it received the votes generally of the Republican members from New England and New York, including such names as Blaine, Morrill of Vermont, Dawes and Boutwell of Massachusetts, Stevens of Pennsylvania, Windom of Minnesota, and Allison of Iowa, and Garfield of Ohio." — Address of Comptroller John Jay Knox, Nov. 27, 1880.

CHAP. XI. purchases of specie to replace at once large amounts, and at no distant day the whole of this circulation, by coin, without detriment to any interest, but, on the contrary, with great and manifest benefit to all interests.

The bill was constantly amended and improved, and, although it might be too much to say that it was ever rendered entirely perfect, it is perhaps now unquestioned that few more wise and beneficent measures have ever been devised by American statesmanship.

No financial operations so prodigious as those which we have thus briefly sketched had ever before been known. The largest loans ever made by England were those which she negotiated in the terrible years of 1812–13 when she was fighting at the same time Napoleon and the United States. The British Government borrowed in those years $534,000,000, only a little more than Mr. Chase borrowed in nine months. The estimated wealth of the United Kingdom at that time, and of the loyal States in 1860, was almost the same, in each case something over ten thousand millions of dollars. Nowhere, we believe, do the annals of the world record such an appreciation of the public credit as that which is seen from the time of Mr. Lincoln's accession to the Presidency until the period of the resumption of specie payment after the close of the war. It was hard for Mr. Buchanan's Secretaries of the Treasury to borrow money to pay the ordinary expenses of the Government at twelve per cent. Mr. Chase, as soon as Congress had given him command of the machinery required, in the legal-tender currency, the popular loan, and the national banking law, found no great difficulty in

supplying at six per cent. the ravenous wants of a most costly war; and, under the operation of the laws provided for him, and similar legislation called for by his successors, the Government credit gradually rose until its four per cents. sold at 130, and its three per cents. commanded a premium. At the beginning the Secretary was forced to rely more upon individual patriotism than upon public confidence; but long before the war ended he had hundreds of millions at his command.

In all these important labors Mr. Chase had the constant support of the President. Mr. Lincoln exercised less control and a less constant supervision over the work of the Treasury than over some other departments; but he rated at their true value the industry and the ability of the Secretary and the immense responsibility devolved upon his department, and contributed to its success in every way in his power. He sometimes made suggestions of financial measures, but did not insist on their being adopted, and when the Secretary needed his powerful assistance with Congress he always gave it ungrudgingly. In regular and special messages he urged upon Congress the measures which the Secretary thought important,[1] and in frequent and informal conferences at the Executive Mansion with the leading members of both Houses he exerted all his powers of influence and persuasion to assist the Secretary in obtaining what legislation was needed.

Lincoln to Chase, May 18, 1864.

The monetary disorganization which preceded and accompanied the wreck of the Confederacy

[1] Especially the message of January 19, 1863, in favor of the funding bill and the bill to provide a national currency.

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was so complete and so universal, that Southern writers have taken no pains to preserve any accurate account of their financial system — if system it may be called, where system there was none. Their debt ceased to exist, their money lost all value, at the instant the struggle became hopeless; for by the very terms of their certificates of indebtedness they had no worth until after the ratification of a treaty of peace between the United States and the Confederate States. It is estimated that, when the war ended, the nominal debt of the Confederate States was about thirty-five hundred million dollars; but these portentous figures had no meaning. Some Confederate writers think the actual cost of the war on the Southern side was in the neighborhood of one thousand millions; but this from the nature of the case can never be ascertained with exactness.

Pollard, "The Lost Cause," p. 426.

Their financial management was inefficient and chaotic from the beginning. Early in the winter of the first year of the war the banks suspended specie payments. From the insufficient data obtainable it is estimated that there were about fifty millions of specie in the South, at that time, divided between the banks and the hoards of individuals. This gradually disappeared; some was employed in the foreign trade, some seized by the Government; very little came to the surface when the war had ended; the paper money had extirpated it. In fact the successive issues of paper money were the only events worth mentioning in the financial history of the Confederacy.

The efforts made in other directions to give some solidity to their finances were feeble and nugatory.

They issued a loan of fifteen millions, bearing eight per cent. interest. This interest was payable in specie, which was secured by the pledge of an export duty of one-eighth of one per cent. per pound on the cotton sent out of the country. This loan was placed at satisfactory rates; the interest was paid for a little while, as promised, in specie; but the poverty of the insurrectionary Government finally forced even this sacred debt to go to default. The cotton loans negotiated in Europe had a certain success, but the money resulting from them was mostly spent beyond the Atlantic, and afforded little relief to the straitened treasury at Richmond. Heavy loans were made with the banks in the Southern States; when they matured, they were paid in Treasury notes; the banks, under the stimulus of the war and of the demands of the Richmond Government, rapidly multiplied their circulation; specie payments being suspended there was no check upon expansion.

Unsafe as the currency of the banks was, it was still regarded as more secure than the flood of paper money sent out by the Confederate financiers at Richmond, and gradually disappeared from circulation, being hoarded by the provident as a nestegg for quieter times. But in the course of the war the banks were ruined by the annihilation of the paper values which formed their principal assets, and their carefully hoarded bills, when brought to light, were almost as worthless as the vanished Confederate currency. There was, properly speaking, no financial management of the insurrection. Issues of bonds were authorized by the Congress and made by the successive Secretaries of the

Pollard, "The Lost Cause," pp. 422, 423.

CHAP. XI. Treasury, but they bore no proportion to the ever-increasing expenses of the war, and the deficit had to be met by printing more money, which at last grew less valuable than the paper on which it was printed. There was in the end no definite relation between the price of gold and the value of the Confederate currency. In the North there was great fluctuation of such relative values, but they were generally the same at a given moment throughout the country. In the days of the wildest gambling in Wall street the quotations made there governed the price of gold in Boston, Philadelphia, and Chicago. But in the South it could hardly be said that quotations existed. At Richmond, the seat of the Confederate Government, the gold dollar was frequently worth fifty or more paper dollars, while in the interior the business of the country was being transacted on a basis of five for one, and even in the final throes of the insurrection the currency never became so worthless in the rural districts as it was in the very shadow of the Capitol of Virginia.

As the Confederate securities were intrinsically valueless, except in the event of final success, their holders were sure, sooner or later, to lose their principal. But the Confederate loan was handled with such singular incapacity that its promoters did not derive from it even such advantage as was practicable. It is true that James M. Mason, the Confederate Commissioner in London, did succeed, in September, 1862, in placing cotton bonds to the value of some sixty thousand pounds through the house of W. S. Lindsay, M. P., an ardent Southern sympathizer. This was speedily ab-

Mason to Benjamin, Nov. 4, 1862. MS. Confederate Archives.

sorbed by the needs of the rebel navy; and Lindsay proposed a far more extensive scheme of finance, based on the delivery, at Southern ports, of cotton belonging to the Confederate Government, at the price of fourpence a pound; this would have afforded a large profit to those who actually got their cotton and sold it in England. But before this plan was carried into effect Baron Erlanger and Mr. Slidell had arranged a scheme for placing a Confederate Loan in England, and the cotton scheme of Mason and Lindsay was withheld so as not to embarrass the more brilliant operation. The loan was put on the market on the 18th of March, 1863, with all the appearance of a dazzling success. Five millions sterling were subscribed the first day, the applications coming from every part of Europe; and before the books closed sixteen millions had been nominally subscribed, and the certificates commanded a premium of five per cent., which, however, immediately dropped to one or two. Mr. Mason wrote to Richmond in a tone of exultation over the "triumphant success of our infant credit; it shows, *malgré* all detraction and calumny, that Cotton is king, at last!"

Mason to Benjamin, April 9, 1863. MS. Confederate Archives.

The triumph was short-lived. A few days later the loan began to drop in the market, and the Erlangers came in a panic to Mr. Mason, telling him that unless the price was somehow kept up the loan would be wrecked. He therefore authorized them to buy in behalf of the Confederate Government a million pounds' worth of the securities; and as this did not prove effectual in sustaining prices, he afterwards increased his order a half million more. This desperate expedient checked the dis-

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April 28, 1863. MS. Confederate Archives.

aster for a little while; the Confederates hoped to sell out their holdings at a profit, but the rise never came. In his final report of the transaction, Mr. Mason shows £1,388,500 on the wrong side of his ledger, and only £26,000 on the right. After Gettysburg and Vicksburg the loan dropped thirty per cent., and the Confederate credit was evidently wounded to death. Mr. Slidell afterwards gently reproached his Government for not having let him know beforehand that Vicksburg was to fall; as in that case they could have disposed of the balance of their loan.

Slidell to Benjamin, Oct. 9, 1863. MS. Confederate Archives.

Mason to Benjamin, Nov. 29, 1864. MS. Confederate Archives.

All this while Mr. Mason in his dispatches deplored the blindness of the Germans, who were eagerly investing their savings in United States bonds at less than fifty cents on the dollar. He even went to Frankfort to warn them against this mistaken policy, taking an interpreter with him, as he was not himself polyglot. He did not succeed in convincing them; and came back to France at least so much wiser for his journey that he declined a proposition of Baron Erlanger to "destroy the credit of the United States abroad" by issuing an official and authoritative statement that the Confederate States would not hold themselves liable for a dollar of the United States Loan.[1]

[1] We are under obligations to the Hon. John Jay Knox for valuable suggestions and assistance in the revision of this chapter, and have made free use of his reports on the currency and his work, "United States Notes."

CHAPTER XII

SEWARD AND CHASE

MR. SEWARD and Mr. Chase became at an early day, and continued to be, respectively, the representatives in the Cabinet of the more conservative and the more radical elements of the Republican party. Each exerted himself with equal zeal and equal energy in the branch of the public service committed to his charge; but their relative attitudes towards the President soon became entirely different. Mr. Seward, while doing everything possible to serve the national cause, and thus unconsciously building for himself an enduring monument in the respect and regard of the country, was, so far as can be discerned, absolutely free from any ambition or afterthought personal to himself. He was, during the early part of the war, so intent upon the work immediately in hand that he had no leisure for political combinations; and later, when the subject of the next Presidential nomination began to be considered and discussed, he recognized the fact that Mr. Lincoln was best qualified by his abilities, his experience, and his standing in the country to be his own successor.

The attitude of Mr. Chase was altogether unlike this. As we have seen, he did all that man

CHAP. XII. could do to grapple with the problem of supplying the ways and means of the gigantic war. With untiring zeal and perfect integrity he devoted his extraordinary ability to the work of raising the thousands of millions expended in the great struggle which was crowned with a colossal success. But his attitude towards the President, it is hardly too much to say, was one which varied between the limits of active hostility and benevolent contempt. He apparently never changed his opinion that a great mistake had been committed at Chicago, and the predominant thought which was present to him through three years of his administration was that it was his duty to counteract, as far as possible, the evil results of that mistake.

He felt himself alone in the Cabinet. He looked upon the President and all his colleagues as his inferiors in capacity, in zeal, in devotion to liberty and the general welfare. He sincerely persuaded himself that every disaster which happened to the country happened because his advice was not followed, and that every piece of good fortune was due to his having been able, from time to time, to rescue the President and the rest of the Cabinet from the consequences of their own errors. He kept up a voluminous correspondence with friends in all sections of the country, to which we should hesitate to refer had it not been that he retained copies of his letters, and many years afterwards gave them into the hands of a biographer for publication. These letters are pervaded by a constant tone of slight and criticism towards his chief and his colleagues. He continually disavows all re-

sponsibility for the conduct of the war. In one letter he says: CHAP. XII.

Since the incoming of General Halleck I have known but little more of the progress of the war than any outsider — I mean so far as influencing it goes. My recommendations, before he came in, were generally disregarded, and since have been seldom ventured. . . I hope for the best. Those who reject my counsels ought to know better than I do.

Aug. 29, 1862. Schuckers, "Life of S. P. Chase," p. 443.

To Senator Sherman he wrote:

The future does not look promising to me, though it may be brighter than it seems to be. Since General Halleck has been here the conduct of the war has been abandoned to him by the President almost absolutely. We, who are called members of the Cabinet, but are in reality only separate heads of departments, meeting now and then for talk on whatever happens to come uppermost, not for grave consultation on matters concerning the salvation of the country — we have as little to do with it as if we were the heads of factories supplying shoes or clothing. No regular and systematic reports of what is done are made, I believe, even to the President; certainly none are made to the Cabinet. Of course we may hope the best; that privilege always remains. It is painful, however, to hear complaints of remissness, delays, discords, dangers, and feel that there must be ground for such complaints, and know, at the same time, that one has no power to remedy the evils complained of, and yet be thought to have.

Sept. 20, 1862. Ibid., pp. 379, 380.

To another he said:

. . . Though charged with the responsibility of providing means for the vast expenditures of the war, I have little more voice in its conduct than a stranger to the Administration; perhaps not so considerable a voice as some who are, in law, at least, strangers to it. I should be very well satisfied with this state of things if I saw the war prosecuted with vigor and success. I am only dissatisfied with it because I cannot help thinking that if my judgment had more weight it would be so prosecuted.

Warden, "Life of S. P. Chase," pp. 491, 492.

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His letters in this strain are innumerable. In all of them he labors to keep himself distinct and separate from the rest of the Government, protesting against its faults and errors, and taking credit for the good advice he wastes upon them. He says:

> We have fallen on very evil days. Under the influence of a short-sighted notion that the old Union can be reconstituted, after a year's civil war of free States and slave States, just as it was, the President has hitherto refused to sanction any adequate measure for the liberation of the loyal population of the South from slavery to the rebels. Hence we are fighting rebellion with one hand, and with the other supplying its vital elements of strength. Then we have placed and continued in command generals who have never manifested the slightest sympathy with our cause, as related to the controlling question of slavery. These naturally have never been more than half in earnest, and instead of their being impelled to the most vigorous action, their influence has been suffered to paralyze, in a great degree, the activity of the Administration. In addition to this there has been enormous waste and profusion growing out of high pay and excessive indulgence. All these causes tend to demoralization, and we are demoralized. I cannot go into particulars, but the instances abound. It is some consolation to me that my voice and, so far as opportunity has allowed, my example has been steadily opposed to all this. I have urged my ideas on the President and my associates, till I begin to feel that they are irksome to the first, and to one or two at least of the second.

Warden, "Life of S. P. Chase," pp. 453, 454.

All this time, with the most facile self-deception, he believed in his own loyalty and friendship for the President, and used to record in his diary his sorrow for Mr. Lincoln's fatal course. September 12 he writes:

1862.

> The Secretary [of War] informed me that he had heard from General Halleck that the President is going out to see General McClellan, and commented with some severity

HENRY L. DAWES.

on his humiliating submissiveness to that officer. It is indeed humiliating, but prompted, I believe, by a sincere desire to serve the country. . . I think that the President, with the most honest intentions in the world, and a naturally clear judgment and a true, unselfish patriotism, has yielded so much to border-State and negrophobic counsels that he now finds it difficult to arrest his own descent towards the most fatal concessions. He has already separated himself from the great body of the party which elected him; distrusts most those who represent its spirit, and waits — for what?

CHAP. XII. 1862.

Warden, "Life of S. P. Chase," pp. 470, 471.

He says in another place:

September 11. How singularly all our worst defeats have followed administrative cr— no, blunders. McDowell defeated at Bull Run, because the Administration would not supersede Patterson by a general of more capacity, vigor, and devotion to the cause; McClellan defeated at Richmond, because the Administration recalled Shields and forced Frémont to retire from the pursuit of Jackson; . . . Pope defeated at Bull Run, because the Administration persisted in keeping McClellan in command of the Army of the Potomac. . .

Ibid., p. 469.

He never lost an opportunity for ingratiating himself with the general in favor, or the general in disgrace. He paid equally assiduous homage to the rising and the setting sun. In the dawn of McClellan's first successes in the West he made haste to write to him:

The country was indebted to me . . . in some considerable degree for the change of your commission from Ohio into a commission of major-general of the army of the Union, and your assignment to the command of the Department of the Ohio. I drew with my own hand the order extending it into Virginia. . . It was my wish that you should remain in command on the Mississippi, but in this I was overruled.

Schuckers, "Life of S. P. Chase," p. 427.

His present command, however, he says, is a more important one, and he wishes Kentucky and Ten-

CHAP. XII. nessee to be included in it, and thinks both will be done. When McClellan was appointed general-in-

Sept., 1862. chief the Secretary, eager to be first to tell the good news, immediately wrote a note to Colonel Key, McClellan's judge-advocate: "McClellan is Com-

Schuckers, "Life of S. P. Chase," p. 445. mander-in-Chief. Let us thank God and take courage." To newly appointed and promoted generals he wrote in the same strain. Even when he had become estranged from a prominent officer the slightest appeal to his *amour propre* was sufficient to bring about a reconciliation. After he had lost all confidence in McClellan, and almost given up the President for not dismissing him, General John Cochrane came to him and said McClellan would like to retire from active command if he could do so without disgrace — which could be accomplished,

Warden, "Life of S. P. Chase," p. 499. and a more active general secured, by restoring him to the chief command, "where he would now act in unison with myself," says the Secretary. He entered at once into *pour-parlers*, saying how much he had once admired and confided in McClellan; how the general came to lose his confidence; how heartily he had supported him with supplies and reënforcements, notwithstanding his mistrust; his entire willingness to receive any correction which facts would warrant; his absolute freedom from personal ill-will. When Cochrane told him that Colonel Key had often expressed his regret that McClellan had not conferred and acted in concert with the Secretary, he replied: "I think if he had,

Ibid., p. 500. that the rebellion would be ended now." Further letters followed between them which are recorded in his diary; but during these platonic negotiations McClellan was finally removed from command.

Mr. Chase cultivated, however, the closest relations with those generals who imagined they had a grievance against the Administration. He took General Shields to his arms when he returned from the Shenandoah after his disastrous experience with Jackson. Shields's account of how he would have destroyed Stonewall Jackson if the President had permitted him did not apparently touch the Secretary's sense of humor. He received it all in good faith; assured Shields that if he had had his way he should have been supported, and wrote in his diary: "Sad! sad! yet nobody seems to heed. General Shields and I talked all this over, deploring the strange fatality which seemed to preside over the whole transaction. He dined with us and after dinner rode out." To Hooker, after the failure of the Chickahominy campaign, he said, "General, if my advice had been followed, you would have commanded [the army] after the retreat to James River, if not before"; to which Fighting Joe of course responded, "If I had commanded, Richmond would have been ours." He warmly sympathized with General Hunter after the revocation of his emancipation order in South Carolina, and allowed his preference for military emancipation to carry him, in one instance, to the point of absolute disloyalty to the President. On the 31st of July, 1862, he wrote a long letter to General Butler in New Orleans, striving to controvert the views of the President in relation to slavery in the Gulf States, and urging in place of them his own opinions, "to which," he said, "I am just as sure the masses will and the politicians must come, as I am sure that both politicians and masses have come, to opinions

CHAP. XII.

1862.

Warden, "Life of S. P. Chase," p. 487.

CHAP. XII. expressed by me when they found few concurrents"; and he continued his letter with this rash and mischievous advice:

> Of course, if some prudential consideration did not forbid, I should at once, if I were in your place, notify the slaveholders of Louisiana that henceforth they must be content to pay their laborers wages. . . It is quite true that such an order could not be enforced by military power beyond military lines, but it would enforce itself by degrees a good way beyond them, and would make the extension of military lines comparatively quite easy.

Here the obvious objection presented itself, that such a course would be in direct contravention to the President's known policy, and would be immediately repudiated and revoked by him. The Secretary foresaw this, and added a prediction so reckless, and so disloyal to his constitutional chief, that if it were not printed by undoubted authority it would be difficult to believe he had written it: "It may be said that such an order would be annulled. I think not. It is plain enough to see that the annulling of Hunter's order was a mistake. It will not be repeated." A volume could not more clearly show the Secretary's opinion of the President.

July 31, 1862. Schuckers, "Life of S. P. Chase," p. 377.

The surest way to his confidence and regard was to approach him with conversation derogatory to Mr. Lincoln. He records in his diary an after-dinner conversation with an officer whom he seems to have met for the first time: "I then asked what he thought of the President." He apparently had no perception of the gross impropriety of such a question coming from him. The officer evidently knew what sort of reply was expected. He said:

> A man irresolute, but of honest intentions; born a poor white, in a slave State, and of course among aristo-

crats; kind in spirit and not envious, but anxious for approval, especially of those to whom he has been accustomed to look up — hence solicitous of support of the slaveholders in the border States, and unwilling to offend them; without the large mind necessary to grasp great questions, uncertain of himself, and in many things ready to lean too much on others. CHAP. XII.

Warden, "Life of S. P. Chase," p. 505.

Of course, after a dictum so thoroughly in harmony with his own opinions, the Secretary naïvely records that he found this gentleman "well-read and extremely intelligent." In reply to a correspondent, whose letters were filled with the most violent abuse of the President and other officers of the Government, he had no word of rebuke. He simply replied: "I am not responsible for the management of the war and have no voice in it, except that I am not forbidden to make suggestions; and do so now and then when I can't help it." Sept. 21, 1863.

He had no defense for his colleagues against the attacks of his correspondent, except to say:

> Nor should you forget that a war managed by a President, a commanding general, and a Secretary cannot, especially when the great differences of temperament, wishes, and intellectual characteristics of these three are taken into account, reasonably be expected to be conducted in the best possible manner. This condition can only be remedied by the President, and, as yet, he fears the remedy most.

Warden, "Life of S. P. Chase," p. 549.

The President was not unaware of this disposition of his minister of finance towards him. Presidents in even a greater degree than kings are kept informed of all currents of favor and hostility about them; for besides being to an equal degree the source of honors and of power, they are not

CHAP. XII. encompassed by any of that divinity which hedges the hereditary ruler, and they are compelled to listen to the crude truth from the hundreds of statesmen and politicians who surround them. And, besides this, the Secretary of the Treasury was a man too direct and too straightforward to work in the darkness. He records in his diary a singular conversation which he held with Thurlow Weed, an intimate and trusted counselor of the President and the bosom friend of the Secretary of State:

1862. Weed called, and we had a long talk. . . I told him I did not doubt Mr. Seward's fidelity to his ideas of progress, amelioration, and freedom, but that I thought he adhered too tenaciously to men who proved themselves unworthy and dangerous, such as McClellan; that he resisted too persistently decided measures; that his influence encouraged the irresolution and inaction of the President in respect to men and measures, although personally he was as decided as anybody in favor of vigorous prosecution of the war, and as active as anybody in concerting plans of action against the rebels.

Warden, "Life of S. P. Chase," p. 475.

There is no doubt that Mr. Weed would consider it his duty to communicate to his friends this disparaging view entertained of them by the Secretary of the Treasury; indeed, the context shows that this was expected; and when we consider that Mr. Chase talked and wrote in this strain to hundreds of people in regard to his associates, it is likely that they were as thoroughly aware of his opinions and utterances as if he had made them in Cabinet meeting. But Seward was, as the President once said of him, "a man without gall"; and it was the lifelong habit of Mr. Lincoln to disregard slights that were personal to himself. He had the greatest respect and admiration for Mr. Chase's capacity;

he believed thoroughly in his devotion to the national cause, and seeing every day the proof of his pure and able management of the finances of the Government he steadily refused to consider the question of the Secretary's feelings towards himself.

It was near the end of the year 1862 that an incident occurred which threatened for a time to deprive the Government of the services of the Secretaries both of State and of the Treasury. A strong feeling of discontent, gradually ripening into one of hostility, had grown up in the Senate against Mr. Seward. It was founded principally upon the ground formulated by Mr. Chase in his interview with Weed, that he "adhered too tenaciously to men who proved themselves unworthy and dangerous, such as McClellan; that he resisted too persistently decided measures, and that his influence encouraged the irresolution and inaction of the President in respect to men and measures"; and Mr. Sumner, who had up to this time been rather friendly than otherwise to Mr. Seward, was suddenly brought into sympathy with his opponents by discovering in the diplomatic correspondence a phrase bracketing together the secessionists and the extreme antislavery men for equal condemnation and criticism.[1]

[1] Mr. Seward gave great offense to the radical antislavery Members of Congress by two dispatches; the first to Mr. Dayton on the 22d of April, 1861, in which he said that the "rights of the States and the condition of every human being in them will remain subject to exactly the same laws and forms of administration, whether the revolution shall succeed or whether it shall fail"; and the second to Mr. Adams on the 5th of July, 1862, saying: "It seems as if the extreme advocates of African slavery and its most vehement opponents were acting in concert together to precipitate a servile war — the former by making the most desperate attempts to overthrow the Fed-

CHAP. XII. The feeling against the Secretary of State at last attained such a height in the Senate that a caucus was called to consider the matter, which resulted in a vote being taken demanding of the President the dismissal of Mr. Seward from his Cabinet. As a matter of taste and expediency this resolution later in the evening was withdrawn and another adopted in its place requesting the President to reconstruct the Cabinet, in which, although Mr. Seward's name was not mentioned, the intention of the Republican Senators remained equally clear. A committee was appointed to present the sense of the caucus to the President, but before this was carried into effect Senator Preston King of New York, meeting the Secretary of State, acquainted him with these proceedings, and he, with his son, the Assistant Secretary of State, at once offered their resignations to the President.

1862. On the morning of the 19th of December, a committee of nine waited upon the President and presented him the resolutions adopted the day before. A long and earnest conference took place between the President and the Committee which was marked on both sides by unusual candor and moderation. They, one by one, attacked the Secretary

eral Union, the latter by demanding an edict of universal emancipation as a lawful and necessary, if not, as they say, the only legitimate way of saving the Union." When we reflect that only eight days after these words were written the President informed Mr. Seward of his intention to issue his emancipating edict, we may imagine how far the Secretary was from penetrating the mind of his chief — a fault for which he ought not perhaps to be blamed, considering the extreme reticence which the President observed at that time in regard to his intentions. Still, the dispatch was unnecessary, and the critics of the Secretary contended, not without reason, that it should not have been sent before being submitted to the President for his approval.

of State, not for any specific wrongdoing, but for a supposed lukewarmness in the conduct of affairs, and especially for a lack of interest in the antislavery measures of the Administration, which they considered essential to a successful prosecution of the war. When the President reported this conference to his Cabinet afterwards he said, in his own peculiar imagery: "While they seemed to believe in my honesty, they also appeared to think that when I had in me any good purpose or intention Seward contrived to suck it out of me unperceived." The conference ended without other result than an appointment for the Committee to call again in the evening. Lincoln at once called the Cabinet together and laid the entire matter before them. He gave them distinctly to understand that in this proceeding he was not inviting or intimating that he desired the resignation of any of them; he said he could not afford to lose any of them; that he did not see how he could get on with a Cabinet composed of new material, and he dismissed the council with a request that they also should meet him that evening. The Committee and the Cabinet — Seward of course being absent — came together in accordance with the President's instructions, and each party was greatly surprised to find the other there. He was determined, however, to have a thorough and frank discussion, so that, hereafter, neither in his Government nor in the Senate should it be possible to say that there were any points between them concealed or unexplained. The President stated the case and read the resolutions of the Senators, commenting upon parts of it with some gentle severity. A

CHAP. XII. general discussion then took place, marked with singular frankness, both in the attack and the defense, Collamer and Fessenden speaking with more mildness than the others, but Grimes, Sumner, and Trumbull attacking the Cabinet generally, and Mr. Seward particularly, with considerable sharpness. The Cabinet defended themselves in general and their absent colleague with equal energy but with unruffled temper. Mr. Chase alone seemed to feel himself in a false position. As we have seen in his interview with Weed, he was in the habit of using precisely the same expressions in regard to the Secretary of State as those employed by the Senators. Brought to bay thus unexpectedly, and summoned to speak before both parties to the controversy, he naturally felt the embarrassment of the situation. He could not join the Senate in their attack upon the Administration and he could not effectively defend his colleagues in the presence of eight Senators, to all of whom he had probably spoken in derogation of the President and the Secretary of State. He protested with some heat against the attitude in which he was placed, and said he would not have come if he had expected to be arraigned.

When the fire of the discussion had burned itself out, Mr. Lincoln took a formal vote. "Do you, gentlemen," he said, "still think Seward ought to be excused?" Grimes, Trumbull, Sumner, and Pomeroy said "Yes." Collamer, Fessenden, and Howard declined to commit themselves. Harris was opposed to it and Wade was absent. The meeting broke up late at night, says Secretary Welles, "in a milder spirit than it met." The free

talk had cleared the air somewhat, and both parties to the controversy respected each other more than before. As the Senators were retiring, Mr. Trumbull paused for a moment at the door, then, turning, walked rapidly back to the President and said to him privately, but with great vehemence, that the Secretary of the Treasury had held a very different tone the last time he had spoken with him. CHAP. XII.

The news of this stormy meeting quickly transpired, and the next morning there was great discussion and excitement in the town. The resignation of Seward was regarded as irrevocable, and all the amateur Cabinet-makers were busy in the preparation of a new Administration. The hopes of all the enemies of the Government were greatly stimulated by this indication of divided counsels, and the partisans of General McClellan in particular thought they saw in this conjuncture the occasion for his return to power. In fact, they felt so sure of his speedy restoration to command that they began to stipulate as the price of their adhesion to him that he should dictate his own terms on his return; that he must insist upon the disposal of all the important commands in the army. They imagined that the President would be so helpless that the friends of McClellan might demand any terms they thought good. Welles, Diary. MS.

The President, though deeply distressed at the turn which affairs had taken, preserved his coolness and kept his own counsel. On the morning of the 20th, in the presence of several other members of the Cabinet who had called for further discussion of the crisis, the Secretary of the Treasury tendered his resignation. He held the written Dec., 1862.

CHAP. XII. paper in his hand, but did not advance to deliver it. The President stepped forward and took it with an alacrity that surprised and, it must be said, disappointed Mr. Chase. He then at once dismissed the meeting. He afterwards said, that from the moment when he saw Mr. Chase holding his resignation in his hand, his way was clear before him. He immediately sent an identical note to the Secretary of the Treasury and the Secretary of State, saying:

> You have respectively tendered me your resignations as Secretary of State and Secretary of the Treasury of the United States. I am apprised of the circumstances which may render this course personally desirable to each of you; but after most anxious consideration my deliberate judgment is that the public interest does not admit of it. I therefore have to request that you will resume the duties of your Departments respectively.

The next morning Mr. Seward addressed a brief note to the President, dated at the Department of State, saying: "I have cheerfully resumed the functions of this Department, in obedience to your command"; and inclosed a copy of this note to the Secretary of the Treasury. Mr. Chase found his position not quite so simple as that of the Secretary of State. He did not follow Mr. Seward's example in returning to the Cabinet as promptly as he did in leaving it. He wrote him a brief letter, saying:

> I have received your note, and also a call from Mr. Nicolay, to whom I have promised an answer to the President to-morrow morning. My reflections strengthen my conviction that being once more honorably out of the Cabinet no important public interest now requires my return to it. If I yield this judgment, it will be in deference to apprehensions which really seem to me unfounded. I will sleep on it.

He had seen in the face of the President the gratification which the tender of his resignation had imparted, and returning to his house, while not entirely comprehending what had happened, he seemed conscious that he had made a misstep. He wrote a letter to the President, from which we take a few paragraphs:

> Will you allow me to say that something you said or looked when I handed you my resignation this morning made on my mind the impression that having received the resignations both of Governor Seward and myself you felt that you could relieve yourself from trouble by declining to accept either, and that this feeling was one of gratification.

He then went on to say that he was glad of any opportunity to promote the comfort of the President, but that he did not desire him to decline accepting his resignation. He said:

> Recent events have too rudely jostled the unity of your Cabinet and disclosed an opinion too deeply seated, and too generally received in Congress and in the country, to be safely disregarded, that the concord in judgment and action essential to successful administration does not prevail among its members. By some the embarrassment of administration is attributed to me; by others, to Mr. Seward; by others still, to other heads of Departments. Now neither Mr. Seward nor myself is essential to you or to the country. We both earnestly wish to be relieved from the oppressive charge of our respective Departments, and we have both placed our resignations in your hands.

Chase to Lincoln, Dec. 20, 1862. Warden, "Life of S. P. Chase," p. 510.

He concluded by saying he thought both himself and Mr. Seward could better serve the country at that time as private citizens than in the Cabinet. He did not immediately transmit this letter to the President, and after hearing from Mr. Seward that

CHAP. XII. he had gone back to the Cabinet his suggestion that both would better retire was no longer practicable. After a Sunday passed in very serious consideration, he resolved to withdraw his resignation. He was unable, even then, to imitate the brevity of Mr. Seward's note. He sent to the President his note of

Dec., 1862. the 20th inclosed in another, in which he said that reflection had not much, if at all, changed his original impression, but that it had led him to the conclusion that he ought in this matter to conform his action to the President's judgment. He would therefore resume his post as Secretary of the Treasury, ready, however, to retire at any moment if, in the President's judgment, the success of the Administration might be in the slightest degree promoted thereby.

The untrained diplomatist of Illinois had thus met and conjured away, with unsurpassed courage and skill, one of the severest crises that ever threatened the integrity of his Administration. He had to meet it absolutely unaided: from the nature of the case he could take no advice from those who were nearest him in the Government. By his bold and original expedient of confronting the Senators with the Cabinet, and having them discuss their mutual misunderstandings under his own eye, he cleared up many dangerous misconceptions, and, as usually happens when both parties are men of intelligence and good-will, brought about a friendlier and more considerate feeling between his Government and the Republican leaders than had ever before existed. By placing Mr. Chase in such an attitude that his resignation became necessary to his own sense of dignity he made himself absolute

master of the situation; by treating the resignations and the return to the Cabinet of both ministers as one and the same transaction he saved for the nation the invaluable services of both, and preserved his own position of entire impartiality between the two wings of the Union party.

The results of this achievement were not merely temporary. From that hour there was a certain loosening of the hitherto close alliance between Mr. Chase and the Republican opposition to the President, while a kind of comradeship, born of their joint sortie and reëntrance into the Government, gave thereafter a greater semblance of cordiality to the relations between the Secretaries of State and of the Treasury. But above all, the incident left the President seated more firmly than ever in the saddle. When the Cabinet had retired, and the President remained with the resignation of Mr. Chase in his hands, he said to a friend who entered soon after, in one of those graphic metaphors so often suggested to him by the memories of his pioneer childhood, and which revealed his careless greatness perhaps more clearly than his most labored official utterances, "Now I can ride; I have got a pumpkin in each end of my bag."

Senator Ira Harris of New York.

Nearly a year later he said in a conversation relating to this matter: "I do not see how it could have been done better. I am sure it was right. If I had yielded to that storm and dismissed Seward the thing would all have slumped over one way, and we should have been left with a scanty handful of supporters. When Chase gave in his resignation I saw that the game was in my hands, and I put it through."

J. H., Diary.

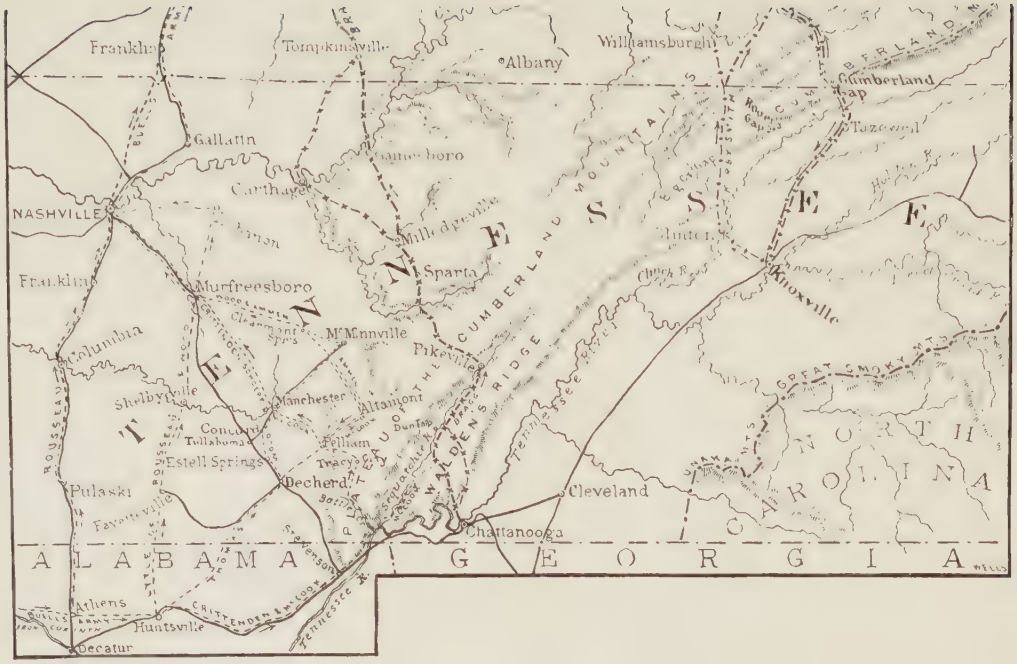
CHAP. XII.

Though the opposition to Mr. Seward did not immediately come to an end,[1] it never exhibited such vitality again, and its later manifestations were treated far more cavalierly by Mr. Lincoln. He had even before this dismissed one very respectable committee from New York who had called to express an unfavorable opinion of the premier, by saying, with unwonted harshness, that they would be willing to see the country ruined if they could turn out Seward; and after this incident he never again allowed the Secretary of State to be attacked with impunity in his presence.

Warden, "Life of S. P. Chase," p. 468.

[1] There was a long and heated discussion between Mr. Greeley and Mr. Raymond, in the columns of their respective journals, the "Tribune" and the "Times," in regard to the culpability of the Secretary of State in the matter of his dispatches.

BRAGG'S
INVASION OF KENTUCKY.
BRAGG —x—x— SMITH —+—+—
BUELL'S ARMY --------
RAILROADS
SCALE OF MILES
10 20 30 40 50
Cincinnati
Covington
Newport
OHIO
Ohio River
Kentucky R.
Greenup
Cynthiana
Grayson
Licking R.
FRANKFORT
Shelbyville
Louisville
Fisherville
Mr Washington
Taylorsville
Talbot
Paris
Mt. Sterling
Lexington
Versailles
Ohio River
Mouth of Salt R.
Shepherdsville
Lawrenceburg
Bloomfield
Salvisa
Bardstown
Harrodsburg
Bryantsville
Richmond
West Liberty
Springfield
Perryville
Danville
Elizabethtown
Lebanon
Big Hill
Litchfield
Sonora
Hodgenville
Stanford
Crab Orchard
Booneville
Munfordville
Green R.
Mt. Vernon
Liberty
Brownsville
Cave City
Pruit's Knob
Somerset
London
Manchester
Columbia
Bells
Glasgow
Bowling Green
Barbourville
Mill
KENTUCKY


Franklin
Tompkinsville
Albany
Williamsburgh
Cumberland Gap
Gallatin
Carthage
NASHVILLE
Franklin
Murfreesboro
Sparta
McMinnville
Pikeville
Columbia
Shelbyville
Manchester
Altamont
Tullahoma
Estell Springs
Pelham
Tracy City
Dechard
Pulaski
Cleveland
Chattanooga
Athens
Huntsville
Decatur
Knoxville
Tazewell
TENNESSEE
CUMBERLAND MOUNTAINS
CUMBERLAND RIDGE
GREAT SMOKY MTS
NORTH CAROLINA
ALABAMA
GEORGIA

CHAPTER XIII

PERRYVILLE AND MURFREESBORO

ABOUT midsummer of 1862, the Confederates disposed of their strongest forces, and exhibited their greatest energy, along the entire line of operations from the Atlantic coast to the region West of the Mississippi. Larger armies than they were ever again able to raise made head against McClellan in Virginia, opposed Morgan at Cumberland Gap, Buell in Middle Tennessee, and Grant on the northern border of Mississippi. Nowhere did the Union armies make any considerable impression upon the strongly held Confederate lines. If there was one object dearer to the heart of the President than any other it was the occupation of East Tennessee and the liberation of the loyal population of that region from a peculiarly cruel and galling tyranny. This object he had constantly pressed upon the attention of General Halleck, who had in turn urged it upon General Buell. After Halleck had been transferred to Washington to take command of the army, he still persistently kept the President's wishes before the eyes of the commander of the Army of the Cumberland. Buell was not lacking, either in ability or any other soldierly quality; but

CH. XIII. he never seemed to appreciate the vast importance of the movement which the Government was thus constantly crowding upon his attention. At least, the difficulties in the way of its accomplishment were to him so much more evident than the advantages to be derived from it, that he wore away the whole summer in untiring and most elaborate preparations for a march for which he never got ready. The difficulties were undeniably of the most serious character; a line of discouraging length had to be constructed and defended from Nashville to the Tennessee River at Bridgeport, by which to provision the army as it advanced, and this was exposed to constant interruption from the cavalry of the enemy, at this time greatly superior to Buell's and led by those bold and enterprising troopers, Morgan and Forrest. The summer passed away in labors and skirmishes leading to no result, until at last Bragg, by a movement of remarkable audacity, took the initiative out of Buell's hands, and, by a swift and stealthy advance into Kentucky, forced his antagonist to give up all present hope of taking Chattanooga and to devote himself to the defense of Kentucky.

1862. General Bragg moved northward through Tennessee into Kentucky in the early part of September. He had previously sent General Kirby Smith with a force of 12,000 men by way of Cumberland Gap into Eastern Kentucky. On the 29th of August Smith met on his advance northward an inferior force, under General William Nelson, which he defeated. Nelson, falling back to Louisville, proceeded energetically to organize a new body of troops, composed of the small garrison of that place and the

newly arrived levies of volunteers and of improvised organizations of citizens. Smith came rapidly northward, occupied the city of Lexington, and threatened both Louisville and Cincinnati with strong detachments. On the 6th of September General Henry Heth, with 6000 troops, took position only a few miles south of Covington, the Kentucky suburb of Cincinnati. This advance produced the greatest excitement and not a little consternation throughout the West. It was Heth's belief that he could have taken Cincinnati, but this course would have been in direct contravention of Smith's orders. After a few days Heth rejoined his chief, and on the 4th of October Smith, with all his troops in hand, reported to Bragg at Frankfort.

CH. XIII. 1862.

When the movement of the Confederate forces began General Buell was of the opinion that it would be directed against Nashville and Western Tennessee, and this was doubtless the course which Bragg, if he had been wisely counseled, would have chosen; but he was beguiled at this moment with the same dream which twice led General Lee into serious trouble in the East. He imagined that Kentucky was lying in unwilling submission to the tyranny of Lincoln, and he fancied he was to effect the liberation of that State, and its complete incorporation among the States of the Confederacy. Kentucky once possessed and held, Tennessee would require no further effort on the part of the Confederates to hold it securely with the South. His army took with them the means of arming the great accessions of troops which they expected from the young men of Kentucky, and the fact that he came back from this expedition with a smaller num-

CH. XIII. ber than that with which he started was to the South one of the greatest disappointments of the war.

Buell, believing that Nashville was threatened, concentrated all his available forces at Murfreesboro, 1862. and it was the 7th of September before, becoming convinced that Bragg's objective point was Louisville, the Union general set out on a race with the Confederates for that city. Bragg had by this time so much the start that if he had continued his march with the same energy and dash with which he began it, he might have reached the Ohio River before Buell. His advance was delayed several days at Munfordville in attempting to capture the garrison there, and on Bragg's arriving still another day was lost in parley before the place surrendered on the 17th. Buell and Thomas came up with Bragg at Prewitt's Knob; preparations for battle were made on the 21st, but at this point Bragg seems suddenly to have changed his mind, and leaving the direct road to Louisville he turned to the right, stopping at Bardstown; and thus he opened to Buell the road to Louisville. Buell, seeing his advantage, pressed on with the utmost diligence. His advance reached the city on the 25th and his army was assembled there on the 29th. General Bragg's explanation of this movement is that he found himself in the presence of the enemy with insufficient supplies, in a position where a defeat would ruin him, and even a successful battle would greatly cripple him, and that he therefore turned to the right to be nearer Lexington, Kirby Smith, and his supplies. Buell, on arriving at Louisville, found there an order relieving him from command, and appointing Thomas in his place. Against this

Henry M. Cist, "The Army of the Cumberland," p. 59.

order Thomas, feeling that Buell had done his full duty in the campaign, and having the greatest confidence in his chief, and being unwilling to supersede him, protested with the utmost vehemence, and it was therefore withdrawn. Buell, with the least possible loss of time, resumed his preparations for the attack on Bragg, appointing Thomas second in command, and on the 1st of October was again in motion southward. While he was pushing out on the road to Bardstown, with no purpose but the soldierly one of finding and fighting the enemy, Smith and Bragg were going through the fantastic form of setting up a Confederate State government for Kentucky at Frankfort. All the loyal border States had provisional Confederate governments *in partibus gentium;* they were generally attached to the staff of Confederate commanders more or less near their titular territories. A "provisional Governor" of Kentucky, named George W. Johnson, had been killed in the ranks at Shiloh, and his successor in that shadowy office, one Richard Hawes of Bourbon County,— of the time, place, or manner of whose election there are no authentic records,— now accompanied Kirby Smith. The regard for legal forms, which is innate in our race, has seldom had a more whimsical manifestation than in the inauguration of this worthy as Governor of Kentucky on the 4th of October in the State House at Frankfort. He had an imposing inaugural procession; no legitimate governor was ever escorted to the capitol by two such armies; he was sworn into office with due solemnities in the presence of soldiers from every Southern State; he even began to read a long and fervid inaugural address, full of

CH. XIII. 1862.

CH. XIII.

those tropical blossoms of rhetoric so dear to the Southern mind; but the booming of distant cannon broke in upon his florid periods; his soldier audience tightened their sword-belts and sprang to their horses, and Mr. Hawes's administration floated away in the dust of the marching column.

B. F. Stevens, "Kentucky Neutrality," p. 20.

Bragg, Report, Oct. 12, 1862. W. R. Vol. XVI., Part I., p. 1087.

The two armies came into collision on the 8th of October at the village of Perryville. It had been his intention, Bragg says, to fight at Harrodsburg where Smith's division had been ordered to join him; but Buell's advance coming up with Hardee's corps at Perryville, the latter was obliged to halt and fight at that point. The battle was brought on by the advance of the left wing of the Union army for the purpose of covering certain pools of water of which the troops, thirsty with their long march, were very much in want. The three wings of Buell's army were not within convenient supporting distance of each other, and he claims that McCook, who commanded on the left, did not promptly enough report to him the extent of the assault to which he was subjected. A fierce and destructive battle began about noon and raged until night, and it was not until four o'clock that Buell, being informed of the state of affairs, took measures to assist his hard-pressed left wing by detachments from the center and right. These measures when taken, however, were effectual, and the advance of the enemy on the Union left was checked; while P. H. Sheridan, further to the right, reënforced by Colonel Carlin's brigade, charged the enemy in his front, and drove him through Perryville, making considerable captures of men and arms. This charge took place at nightfall and ended the battle.

1862.

Buell, Report, Nov. 4, 1862. W. R. Vol. XVI., Part I., pp. 1024–1031.

The night was spent by Buell in bringing his army into position with the intention of attacking the enemy at daybreak, but Bragg, who had been present on the field, though not in personal command of the forces, withdrew them during the night to Harrodsburg and immediately retreated from the State. Buell pursued him, taking every precaution at each halt of the enemy, to engage him on terms which would secure a substantial victory; but whenever he was ready to advance he found that Bragg had left him only a deserted camp. In this way he came at last to the desolate and barren country beyond Crab Orchard, where the wretched roads wound through narrow defiles, in the midst of a sparse population starving in fields already devastated by the enemy. He concluded it was useless to follow his fleet adversary further. He had driven him from the State which he had entered with high hopes of a permanent occupation: he had fought with him an indecisive battle in which he had held his own against the enemy; had pursued him with what expedition seemed possible, had made some captures of men and material, and considering the formidable force with which Bragg had entered the State, Buell may be pardoned for thinking that his labors had met with a reasonable success, and that he might desist from pressing his troops farther. He therefore turned his heads of column towards the Southwest to resume his attitude of observation in Western Tennessee, where he rightly expected Bragg would soon be found.

Buell, Report, Nov. 4, 1862. W. R. Vol. XVI., Part I., pp. 1024-1031.

He reported his intention to Washington, where it was not received with approval. The President, in his intense anxiety to see East Tennessee oc-

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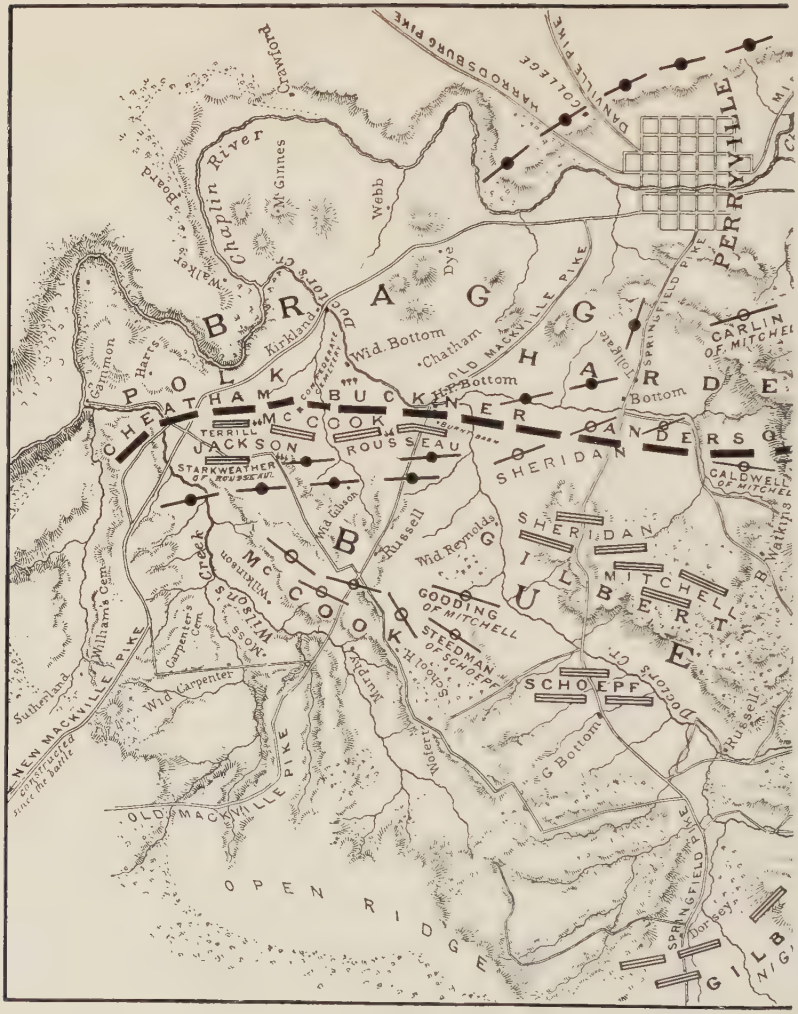
cupied by the national forces, saw no reason why Buell could not follow where Bragg could retreat. He directed General Halleck to reply with an order to Buell to move into East Tennessee: "You say it is the heart of the enemy's resources, make it the heart of yours. . . Your army must enter East Tennessee this fall and . . . it ought to move there while the roads are passable. Once between the enemy and Nashville, there will be no serious difficulty in reopening your communications with that place. He [the President] does not understand why we cannot march as the enemy marches, live as he lives, and fight as he fights, unless we admit the inferiority of our troops and of our generals." Unmoved by this stinging dispatch, General Buell replied, with his usual clearness and calmness of statement, setting forth the difficulties in the way of his executing the President's orders.

Halleck to Buell, Oct. 19, 1862. W. R. Vol. XVI., Part II., p. 626.

His reasons were partly military and partly philosophical. He felt that he could not call upon his troops to do what the enemy was in the habit of doing. "The spirit of the rebellion," he said, "enforces a subordination and patient submission to privations and want which public sentiment renders absolutely impossible among our troops. . . Again, instead of imitating the enemy's plan (of campaign), I should rather say that his failure had been in a measure due to his peculiar method." His tone would have been perfectly appropriate if he had been commander of the army of Laodicea, but it offered little encouragement to the President to hope for the early liberation of Tennessee at his hands. As the general had intimated, six days before, that "the present time is perhaps as con-

W. R. Vol. XVI., Part II., p. 637.



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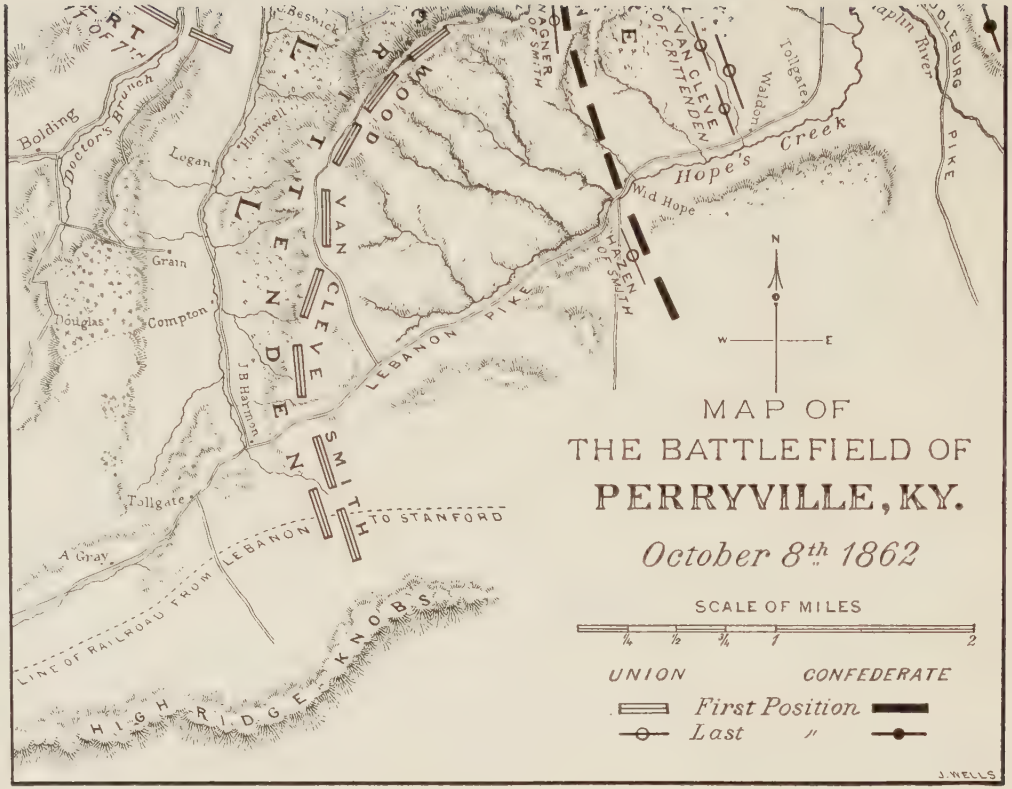

venient as any for making any changes that may be thought proper in the command of this army," the Government took him at his word, and in an order dated the 24th of October directed him to turn over his command to General Rosecrans — thereby preparing for itself exactly a year of similar controversies and struggles, with a similar termination.

W. R. Vol. XVI., Part II., p. 619.

Ibid., p. 642.

1862.

Rosecrans's battle at Corinth, and Buell's at Perryville, were fought within a few days of each other; the one rendered abortive the northward movement of Van Dorn, and the other turned into something not far from ridicule the attempt of Bragg to annex Kentucky to the Southern Confederacy. But the two generals received their reward in very different fashion; Buell was removed from command and his unquestionable talents were thereafter lost to the service; while Rosecrans was made general of the magnificent Army of the Cumberland. Having announced his assumption of command at Louisville, on the 30th of October, he proceeded at once to Bowling Green, and there divided his army into three wings, the center being commanded by Thomas, and the right and left by McCook and Crittenden respectively. Paying as little attention as his predecessor had done to the orders given him to march into East Tennessee, he concentrated his army about Nashville, establishing his headquarters there. His first task was to complete and strengthen his line of communications. The railroad from Louisville was soon reopened and he occupied himself busily for a month in refitting his army and accumulating supplies. Bragg's superiority in cavalry was so great, and

General Orders 168, War Department, dated Oct. 24, 1862. W. R. Vol. XVI., Part II., pp. 641, 642.

CH. XIII. the raids of his bold riders, Morgan and Wheeler, were so constant, that Rosecrans, feeling himself unable to compete with him in this respect, was compelled to accumulate at Nashville supplies sufficient to render him independent of occasional interruptions.

General Bragg, after his return from Kentucky, had taken position at Murfreesboro, a short distance to the south of Nashville, and had there gone into winter quarters, expecting nothing less than that Rosecrans would follow his example. But the latter, ascertaining late in December that half of Bragg's large cavalry force had been detached, a portion against Grant in West Tennessee, and another part into Kentucky, determined to seize the occasion to march against his adversary and, if possible, drive him from the State, or destroy him.

1862. He marched from Nashville on the morning after Christmas, A. McD. McCook leading on the right, G. H. Thomas following by a road in the center, and T. L. Crittenden holding the left, both flanks skirmishing heavily over a difficult country much cut up by tangled forests and cedar-brakes. The movement was at once reported to Bragg, who concentrated his own forces to meet it. He sent out his cavalry under Wheeler, Wharton, and Pegram, to skirmish in front of the advancing army of Rosecrans, hindering its march as far as possible and, in the mean time, brought together his army, consisting of Polk's and Hardee's corps, and McCown's division of Kirby Smith's corps, and strongly intrenched them in a favorable position to the north of the village of Murfreesboro. The Confederate line crossed a water-course called Stone's

River, Breckinridge's division being posted to the east, and the rest of the Confederate army to the west of the stream. Their line was also traversed at right angles by the railroad and the turnpike running to Nashville, which intersected each other at a sharp angle in front of the rebel line, and crossed Stone's River just behind it. The army of Rosecrans, constantly skirmishing, arrived in front of this line on the night of the 30th of December. The advance of his left wing, under General J. M. Palmer, had crossed the river in the afternoon of the day before, and captured a few prisoners from Breckinridge's command, but, finding the enemy in force in his front, Crittenden ordered the brigade which had crossed to return to the west side.

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1862.

At nine o'clock in the evening Rosecrans, having matured his plan of battle for the following day, called his principal commanders to his headquarters among the cedars on the Nashville pike to receive his orders. His plan was simple, bold, and brilliant. He proposed that McCook upon the right should receive the attack of the enemy or, in case he was not attacked, should demonstrate against the Confederate left "not vigorously, but warmly"; Thomas was to hold the center, skirmishing and engaging the enemy's left and center as far as the river; Crittenden was to cross, advance upon Breckinridge, crush the enemy's right, and carry everything before him into Murfreesboro. When Breckinridge became dislodged, the positions thus gained on the heights east of Stone's River would take the enemy's works in reverse, enabling Palmer and Thomas to advance and, in conjunction with Crittenden, to move westward of

Rosecrans, Report. W. R. Vol. XX., Part I., p. 192.

McCook, Report, Jan. 8, 1863. W. R. Vol. XX., Part I., p. 255.

CH. XIII. the Franklin road, thus taking the Confederates in flank and rear with every probability of destroying their army. This plan depended for its success upon McCook's being able to hold the enemy's left in check for three hours; upon Rosecrans inquiring whether this could be done, McCook gave the affirmative answer which was naturally to have been expected from his energy and bravery. He had, however, already informed Rosecrans that the right of his line rested directly in front of the enemy's center and that he was not without some anxiety for his flank. Rosecrans accepted this information as of good omen for his movement on the left, directed McCook to build camp-fires upon his right to deceive the enemy and cause him still further to prolong the extension of his left. The two generals in their reports naturally disagree as to the exact purport of Rosecrans's verbal instructions, but the fact is incontestable that McCook was too little anxious as to his ability to withstand the onslaught of the Confederate left and Rosecrans's mind was so intensely fixed on the work to be done by his left that he took too little precaution for the safety of his right.

Singularly enough, on the Confederate side General Bragg had matured a plan precisely the counterpart of Rosecrans's. This was to leave Breckinridge with one division on the east bank of the river, and with all the rest of his forces to assault the Union right at daybreak, to crush and crumble it back on the center and left, and swinging his left around, resting his right on Stone's River as a pivot, to get in the rear of Rosecrans and cut him off from Nashville. The feint by

which McCook produced the impression of the prolongation of his line was successful so far as to convince Bragg that Rosecrans was attempting to flank him on the left, but the only practical result of this was that he threw McCown's reserve division between the left wing under Hardee, and the right wing under Polk, giving the former an enormous extension beyond McCook. This left him no reserve west of the river but, imagining that Breckinridge on the east side was not threatened, he proposed to leave his troops to be used as the exigencies of the battle might determine. Never were two generals more completely deceived as to each other's intentions; never was a battle opened at such cross-purposes as that furious fight which burst forth at dawn among the cedar-brakes of Stone's River.

Bragg, Report. W. R. Vol. XX., Part. I., p. 663.

Ibid.

On the morning of the 31st of December Rosecrans's troops stood to their arms and the left wing began to cross the river. But early as it was Bragg had gained the initiative, and the first that the troops on the right wing of the Union army saw in the gray light of the wintry dawn were the dark columns of the enemy flowing in a dense mass from left to right across their front, and the first sounds that greeted their ears were the roar of artillery and the rattle of musketry from the point where the heavy battalions of Hardee had overlapped and were driving in the right flank of McCook. The extreme right of McCook was held by General R. W. Johnson; on his left came J. C. Davis, and next to him a division commanded by a young officer for whom were reserved the highest fame and position, General Philip H. Sheridan.

1862.

Post, Report. W. R. Vol. XX., Part. I., p. 270.

CH. XIII. Johnson's division was struck at half-past six in the morning by an overwhelming force of the enemy; the brigades of August Willich and Edward N. Kirk were crumbled to pieces, Kirk severely wounded, and Willich taken prisoner. The reserve brigade under P. P. Baldwin did its best, but was soon compelled to fall back. Davis's division, although in this way left unsupported, made a gallant resistance to the ill-fortune which had overtaken it. Its three brigades under P. Sidney Post, William P. Carlin, and William E. Woodruff fought bravely and suffered severely, but were slowly driven back in turn, and a day of irremediable disaster seemed to have begun. It is hard to say what would have been the fate of the right wing and with it of the army had it not been that the commander of McCook's third division was made of such solid stuff that no hammering could affect him, and that he was able to infuse his own indomitable spirit into his entire command. For the first hour after the rout of the right flank the fate of the Army of the Cumberland rested upon the shoulders of General Sheridan, and this tremendous responsibility was most manfully borne.

Rosecrans, intent upon his movement on the left, at first paid no attention to the noise of battle on the right. To McCook's first dispatches that he was hard pressed, he simply returned an order for that general to dispose his troops to the best advantage and to hold his ground obstinately. He was inclined even to congratulate himself upon the noise of onset in that direction, inferring that it would make his work with Breckinridge easier. But a few moments later he received intelligence

Rosecrans, Report. W. R. Vol. XX., Part I., p. 193.

of the disaster in progress and immediately suspended the movement on the left, ordering the troops engaged in it back to the west side of the river. While Sheridan was fighting his desperate battle on the ground which he still held tenaciously against the flushed and victorious Confederates, Rosecrans sent Lovell H. Rousseau of Thomas's corps into the cedar-brakes to Sheridan's right and rear; Horatio P. Van Cleve was hurried across the river to join Rousseau's right, and Charles G. Harker was posted further down the Murfreesboro pike. All these troops were soon engaged with the enemy, who came pouring along the new front of the Union lines intent upon striking the road to Nashville in Rosecrans's rear. There was no necessity for Bragg to change his plans. Although adopted in ignorance of the plan of his adversary, they worked to a marvel. Writing his report nearly two months later he did not even then seem to suspect that his right had ever been threatened, and severely censured Breckinridge for reporting that any movement had been in progress against him.[1] Had it not been for the splendid courage with which Sheridan, Palmer, and William B. Hazen held the

Rosecrans, Report, W. R. Vol. XX., Part I., p. 193.

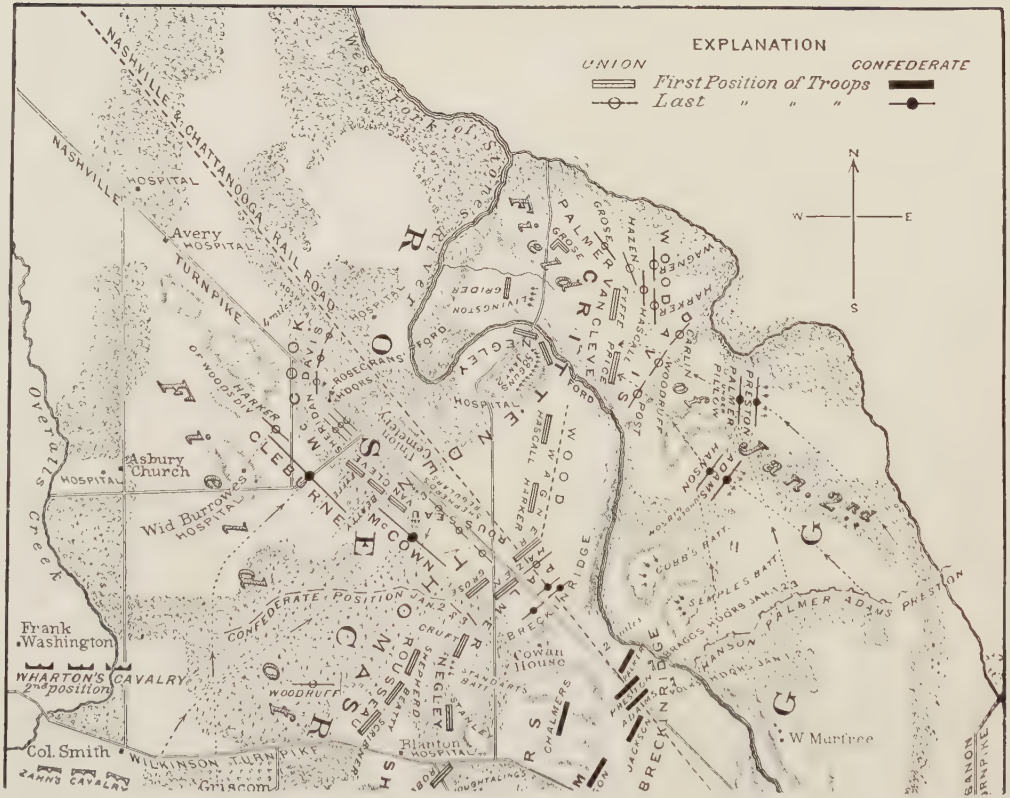
1 "This disposition, the result of necessity, left me no reserve; but Breckinridge's command on the right, not now threatened, was regarded as a source of supply for any reënforcements absolutely necessary to other parts of the field." General Bragg further says in his report that when in the morning he had called on Breckinridge for two brigades to reënforce Hardee, Breckinridge replied that the enemy was crossing Stone's River in heavy force in his immediate front. "These unfortunate misrepresentations," says General Bragg, "on that part of the field (which with proper precaution could not have existed), withheld from active operations three fine brigades until the enemy had succeeded in checking our progress.

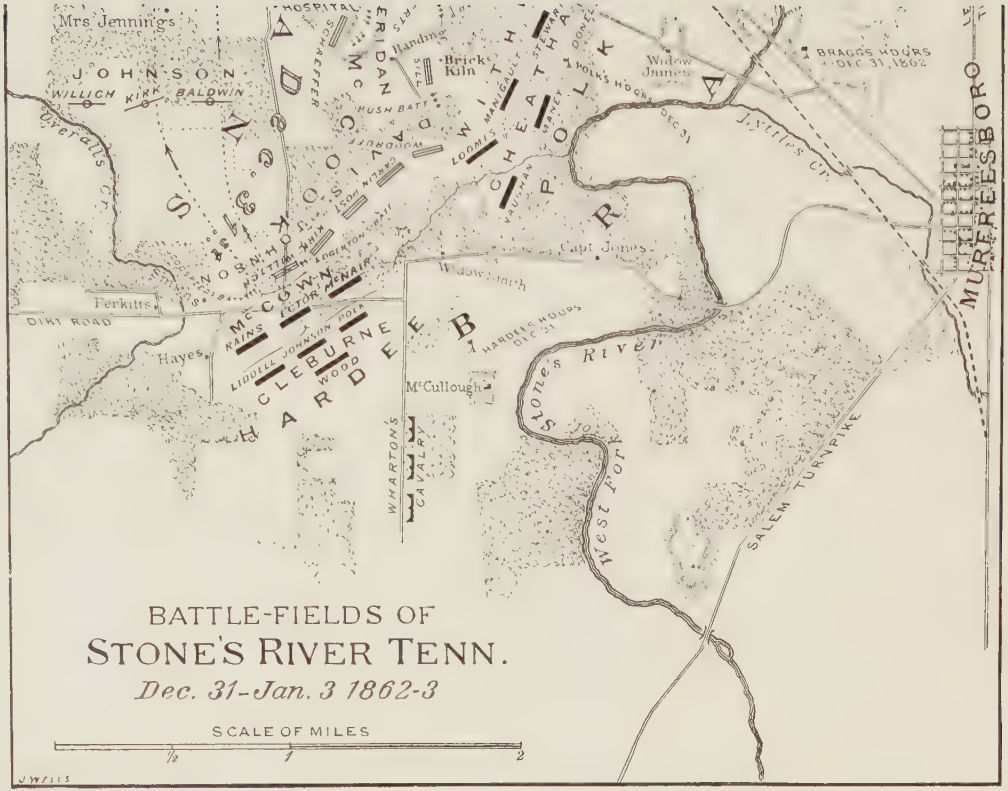
Bragg, Report. W. R. Vol. XX., Part I., pp. 664–666.

CH. XIII. points assigned them, and the coolness and the determination with which Rosecrans, assisted by Thomas, exerted his utmost energies to restore his broken and shattered lines, Bragg would have won on that day the greatest of all the Confederate victories of the war.

Four times the enemy poured his serried columns upon Sheridan's narrow front, and although he lost ground gradually in these terrific attacks, his line was never broken and the enemy paid dearly for every inch they gained. He neglected no opportunity that presented itself for an offensive return. In one magnificent charge, General Joshua W. Sill drove the enemy before him back to his intrenchments, losing his own life in this gallant feat of arms. Later in the fight George W. Roberts was killed, and after him Frederick Schaefer, Sheridan thus losing all his brigade commanders. At last, when his ammunition was exhausted, Sheridan, with General James S. Negley, who had also fired his last shot, fell back, still retaining the dangerous aspect of a wounded lion, through the cedar forests to the open space by the Murfreesboro pike, where he formed a new line on the right of Palmer's division. Even this frightful ordeal had not broken the spirit of his troops. In this retreat through the cedars, two of his regiments found a little supply of ammunition, and the moment they had attained their new position they made a fresh attack upon the enemy, clearing the timber in their front. The death of their commanders did not shake the constancy of his brigades who still obeyed Sheridan's orders as if on parade. When the enemy had almost reached the Murfreesboro pike, George

Sheridan, Report. W. R. Vol. XX., Part I., pp. 349, 350.


EXPLANATION
UNION
CONFEDERATE
First Position of Troops
Last " " "
N
W
E
S
NASHVILLE & CHATTANOOGA RAIL ROAD
NASHVILLE
HOSPITAL
Avery
HOSPITAL
TURNPIKE
Asbury
Church
HOSPITAL
Wid Burrows
HOSPITA
Frank
Washington
WHARTON'S CAVALRY
2nd position
Col. Smith
WILKINSON TURNPIKE
Griscom
Cowan
House
Blanton
HOSPITAL
W Murfree
CONFEDERATE POSITION JAN 2 & 3
WOODRUFF
CRUFT
NEGLEY
SHEPHERD
SANDERS
BATT
SEAMANS
CHALMERS
MANEY
PALMER
ADAMS
PRESTON
HANSON
BRECKINRIDGE
JACKSON
CLEBURNE
McCOWN
WITHERS
LOWRY
FIELD
HOSPITAL
Harker
of Woods'
Rosecrans
Thomas
Hardee
Polk
Buell
Crittenden
McCook
Gilbert
Crittenden
Wood
Sheridan
Palmer
Grose
Cleveland
Hazen
Harker
Willich
Grider
Ford
Negley
Stanley
Rousseau
Mitchell
Hascall
Loomis
Price
Woodruff
Carlin
Wagner
Hazen
Gooding
Davis
Johnson
Palmer
Pillow
Preston
Adams
Hanson
Stanley
Smith
Cheatham
Vaughn
Jones
Maney
Harker
Cleburne
Polk
Hardee
Wheeler
Wilson
Cavalry
Forrest
Cavalry
Wharton
Cavalry
Hanna's
Cavalry
Harding's
Cavalry
Stanley's
Cavalry
Wilson's
Cavalry
Harding's
Cavalry
Wheeler's
Cavalry
Forrest's
Cavalry
Wharton's
Cavalry
Hanna


Mrs Jennings
HOSPITAL
Brick Kiln
Widow James
BRAGGS HDQRS DEC 31, 1862
JOHNSON
WILLICH
KIRK
BALDWIN
Overalls Cr
DAVIS
SHEFFER
SHEPARD
HUSH BATT
LOOMIS
CHEATHAM
POLK
Polks Hdqrs
Dec 31
J. Sellers Cr
Capt. Jones
Widow Smith
NOSWORTHY
MCCOWN
RAINS
VICTOR MENAIR
Ferkitts
DIRT ROAD
Hayes
CLEBURNE
LIDDELL
JOHNSON
POLK
WOOD
HARDEE
BRECKINRIDGE
HARDEES HDQRS DEC 31
McCullough
WHARTONS CAVALRY
Stones River
West Fork
SALEM TURNPIKE
MURFREESBORO
BATTLE-FIELDS OF
STONE'S RIVER TENN.
Dec. 31-Jan. 3 1862-3
SCALE OF MILES
½
1
2
J.W.ELLIS

W. Roberts's brigade, which had only three or four rounds of ammunition, "cheerfully went into action, gallantly charged the enemy, routing them, recapturing two pieces of artillery and taking forty prisoners."

Sheridan, Report. W. R. Vol. XX., Part I., p. 350.

Dec. 31, 1862.

The battle raged from dawn to twilight, the line being continually repaired and re-formed under the orders of Rosecrans, who this day showed his highest qualities of courage and generalship. He never, for a moment, lost heart or confidence; he repelled every suggestion of retreat, and flew from end to end of his line, encouraging and inspiring his men wherever he appeared. He was constantly under fire; a cannon-ball which grazed him took off the head of Colonel Julius P. Garesché, his chief-of-staff; three orderlies were shot down by his side. Bragg, unwilling to leave his magnificent day's work unfinished, threw his heavy battalions against the re-formed Union lines again and again during the afternoon, with the greatest impetuosity, but was everywhere repulsed with heavy loss, especially on the extreme left, where Hazen held the turnpike, defending a little knoll with no rampart but his brave volunteers; in the center, where Thomas held his corps like a rock, and where the regular brigade under Colonel Oliver L. Shepherd sustained a murderous assault, losing forty per cent. of their numbers in killed and wounded, while covering the new formation of Rousseau's division; and on the extreme right where an attack of infantry and cavalry was splendidly repulsed by Van Cleve and Harker and the cavalry. The short winter day closed in on a scene of carnage such as this Western continent had, up to that time, never witnessed,

Thomas, Report. W. R. Vol. XX., Part I., p. 373. Rosecrans, Report. W. R. Vol. XX., Part I., p. 194.

CH. XIII. but with the Union lines re-formed and at the last firm and defiant.

Dec. 31, 1862. Nevertheless, as evening fell, General Bragg had cause for great elation and, in a dispatch which he sent to Richmond, he did not overstate the extent of his success. "We assailed the enemy," he said, "at seven o'clock this morning, and after ten hours' hard fighting have driven him from every position except his extreme left, where he has successfully resisted us." His plan had worked almost exactly as he had intended; his army, pivoting upon its right, had swept over the whole field, carrying the army of Rosecrans before it, in spite of a gallant and obstinate resistance, until both hosts lay on their arms at nightfall, in lines perpendicular to those they occupied at daybreak. This conquered ground was rich in spoils of every sort of the greatest value to the Confederates: several thousand prisoners, two general officers, some dozens of guns, and hundreds of wagons and stores were among the gleanings of this opulent field; and when in the morning Bragg's pickets discovered that the point on the Union left, which had so stubbornly resisted the Confederates' attack the day before, had been abandoned by Rosecrans, it was not without justification that he sent to Richmond an exulting New Year's greeting, announcing "the enemy has yielded his strong point and is falling back. We occupy the whole field and shall follow. . . God has granted us a happy New Year."

W. R. Vol. XX., Part I., p. 662.

Rebellion Record. Vol. VI., Documents, p. 166.

But this was the last of his exultation and his triumph. Rosecrans had drawn in his left for reasons of his own, retiring some two hundred yards to more advantageous ground. This new

flank was planted firmly on Stone's River and his already strong line made stronger by the posting of two good brigades, Starkweather's and Walker's, which had arrived the night before. After visiting his line from the extreme front to Overall's Creek in the rear, and after full consultation with his leading generals, Rosecrans determined to wait the enemy's attack in that position; to send for his provision trains and order up fresh supplies of ammunition, "on the arrival of which," he says, "should the enemy not attack, offensive operations were to be resumed." All this while Bragg was reconnoitering the Union position and hurriedly putting his cavalry in motion to cut off the expected retreat of Rosecrans. But as the day wore on and no signs of flight were visible in the compact formation of the Union army, the Confederate general, learning his own terrible losses in the fight of the day before, became more and more disinclined to assail his antagonist in position, and on the morning of the 2d a new series of reconnaissances revealed to him the same result, with this disquieting addition — that Rosecrans had again occupied the high ground on the east side of the river and was there confronting Breckinridge in a threatening attitude. This was a state of things which could not be tolerated with safety; the new position of the national troops not only threatened Breckinridge's force, but the eminence on which they had established themselves commanded and enfiladed the line of General Polk; they must be dislodged or Polk must be withdrawn. "The latter" movement, says General Bragg, "involved consequences not to be entertained." He,

Rosecrans, Report. W. R. Vol. XX., Part I., p. 194.

Ibid., p. 195.

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W. R. Vol. XX., Part I., p. 668.

CH. XIII. therefore, ordered Breckinridge to attack the Union position with his entire force, and the importance of the movement was earnestly impressed upon him; the object being the protection of Polk's line and the attainment of a position from which the enemy might be enfiladed. A heavy fire was opened by Polk's artillery to occupy the Union line on the west side of the river, and Breckinridge attacked Van Cleve's division with great impetuosity, driving them down the slope and across the river; the enemy followed closely, but were received with so warm a fire by the Union artillery, and were met with such energy by two brigades of Negley's division and the Pioneer Brigade from the reserve, that their advance was at once checked, and their retreat, when it began, was soon converted into a rout with the assistance of Hazen's brigade of Palmer's division. It was a short battle, but very sanguinary, and Breckinridge's defeat was quick and complete.[1] Night had come on and a heavy rain was falling, and this, General Rosecrans says, was all that prevented his following the enemy into Murfreesboro. Crittenden crossed the river and intrenched himself on the heights.

The next day the rain still continued, and the plowed ground between the two armies became impassable for artillery. The two hosts sternly surveyed each other, but it was evident that the initiative of the Confederate side had expended itself. The Union center had been somewhat annoyed by sharp-shooters, and a swift sortie from

[1] General Rosecrans says in his report, "The firing was terrific and the havoc terrible. The enemy retreated more rapidly than they had advanced. In forty minutes, they lost two thousand men."—W. R. Vol. XX., Part I., p. 195.

Rousseau's division cleared the woods in his front and captured some prisoners. The reserve strength was evidently on the side of the Northern army. Bragg's forces were sinking with fatigue, with lack of rest and food; their clothes were drenched with the cold rain; a constant stream of sick and exhausted was dribbling to the hospitals in the rear; worse than that, straggling had set in, the most ominous sign of all. The exasperating rain kept on, and the rise in the waters of Stone's River filled General Bragg with alarm. General Joseph Wheeler, coming in from the front, reported that instead of Rosecrans's retiring there was a prospect of reënforcements coming to him. As a last discouragement, at midnight of the 2d, after the costly repulse of Breckinridge, B. F. Cheatham and Jones M. Withers, two of Bragg's principal generals, had reported that there were only three brigades in their commands upon which they could rely, and that even these were more or less demoralized; they intimated that grave disaster might follow if they held their ground much longer. This sinister communication was forwarded by Polk, who added to it his own recommendation to retreat. "I very greatly fear," he said, "the consequences of another engagement at this place in the ensuing day. We could now, perhaps, get off with some safety and some credit, if the affair is well managed. Should we fail in the meditated attack the consequences might be very disastrous." Deeply distressed, but convinced that the safety of his army required it, Bragg determined to withdraw from the field of his barren victory, and made his preparations with such skill and

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Bragg, Report. W. R. Vol. XX., Part I., p. 669.

Jan., 1863.

W. R. Vol. XX., Part I., p. 700.

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secrecy that he was on the march before midnight of the 3d, and on the 5th he telegraphed from Tullahoma: "Unable to dislodge the enemy from his intrenched position, and learning of reënforcements to him, I withdrew from his front night before last. He has not followed." Rosecrans learned of the retreat of his enemy the next day, and at once moved forward and occupied Murfreesboro, but, considering the start that Bragg had gained, the state of the roads, and the heavy loss of artillery horses in the late battles, he decided not to pursue.

W. R. Vol. XX., Part I., p. 662.

Although the fight at Murfreesboro was tactically a drawn battle, though each general failed in making the points he intended, its ultimate results justified the Government and the country in hailing it as an important victory for the Union arms. It was fought by equal forces on either side. Each general, in his report, naturally attributed superior numbers to his adversaries, but in truth there was little difference in the forces engaged, there being some 43,000 on each side. The Union loss was slightly greater than that of the Confederates, but the proportion of casualties to the numbers engaged on both sides was appalling. Rosecrans lost, in killed and wounded alone, one-fifth of his entire force in action, and Bragg almost as many.[1] The captured arms and stores, though

[1] Rosecrans says in his report (W. R. Vol. XX., Part. I., p. 196): "We fought the battle with the following force: infantry, 37,977; artillery, 2223; cavalry, 3200; total, 43,400." Bragg's field return for the 10th of December, 1862 (W. R. Vol. XX., Part. II., p. 446), gives him an effective force of 51,036—39,304 infantry; 10,070 cavalry, and 1758 artillery; half of his cavalry was away at the time of the battle, which would reduce his force to about the same number as that commanded by Rosecrans. Bragg lost 10,266 killed, wounded, and missing.

valuable to Bragg, were of little importance to Rosecrans; while the demoralization of the Confederates after the battle, as shown by the reports of Polk's division officers, to which we have referred, had no counterpart in the firm ranks of the national troops. CH. XIII.

In its wider significance and results the advantage of the battle was entirely upon the Union side. West Tennessee and Kentucky were never again seriously threatened by the armies of the Confederacy. When, after a long delay, the two armies resumed active operations in the following summer, the ease with which Rosecrans pushed his way from Murfreesboro to Chattanooga was a result of the stubborn power displayed by the Union army on the last day of the year 1862 at Stone's River. It must be said also that Rosecrans deserved the credit which this great battle brought him. It is true his plan went altogether awry, but his magnificent coolness and courage in staying the tide of disaster in the morning, and repulsing the victorious enemy in the afternoon, his fortitude in breasting the blows of circumstance and obstinately refusing to accept the fact of defeat, magnificently redeemed the errors of his plan and the faulty formation of his line of battle. In the midst of the gloom which the carnage of Fredericksburg had spread over the country, even the drawn battle of Murfreesboro, and the consequent retreat of the enemy, was a source of wide comfort and encouragement, and Rosecrans

(W. R. Vol. XX., Part I., p. 674.) Rosecrans lost (W. R. Vol. XX., Part. I., p. 215) in killed, 1730; wounded, 7802, and 3717 captured — in all about 13,249.

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will be held to have fully deserved the warm words of greeting which President Lincoln sent him: "God bless you and all with you! Please tender to all, and accept for yourself, the nation's gratitude for your and their skill, endurance, and dauntless courage."

W. R. Vol. XX., Part I., p. 186.

CHAPTER XIV

WEST VIRGINIA ADMITTED

IN reviewing the work of Congress and the Administration during the winter of 1862, we must again take up the account of the political division of the original State of Virginia, and the formation from a portion of her territory of the new State of West Virginia. To do this we must briefly recapitulate what has already been narrated; namely, that a Convention of delegates chosen by the Virginia counties lying west of the great Alleghany mountain range repudiated the secession and rebellion, of which Governor Letcher was chief and Richmond the center, and formally organized the restored government of Virginia, at Wheeling, on the 19th of June, 1861. They made Francis H. Peirpoint governor, who officially invoked the protection of the Federal Government, which President Lincoln duly promised. They constituted a Legislature by calling together such members, recently chosen, as would take an oath of allegiance to the United States and the restored government of Virginia, and filled the vacancies of those who refused by new elections. This Legislature chose United States Senators whom Congress admitted to seats. Still further, the Convention which passed these ordinances reassembled at

CHAP. XIV. Wheeling after a recess, and on the 20th day of August, 1861, adopted another ordinance providing for the formation of a new State, composed of thirty-nine counties, which was to be called the State of Kanawha. An election was ordered to be held on the fourth Thursday of October succeeding, to vote upon this proposition and also to elect delegates to a Convention to form a constitution for the new State, which should in turn be submitted to the people within the proposed boundaries for ratification or rejection. The October election was held, resulting in a vote of 18,408 for the new State and only 781 against it. After proclamation of the result, the delegates elected met in Convention at Wheeling on the 26th of November, 1861, and during a session which extended to February 18, 1862, carefully framed a constitution, which included forty counties in the new State, and instead of Kanawha, as first proposed, gave it the name of West Virginia. The constitution thus framed was submitted to the people of the counties embraced in it, at an election held on the 3d of April, 1862, when it was adopted by a vote of 18,862 for, and only 514 against it.

To regulate the division or juncture of States, the Constitution of the United States provides that "the consent of the Legislatures of the States concerned, as well as of the Congress," shall first be obtained. To meet this requirement the Legislature of the "restored Government of Virginia," sitting at Wheeling, passed an act, May 13, giving its formal assent to the formation and erection of the new State within the limits of the old; and these various proceedings were laid be-

Article IV., Section 3.

fore Congress by the Senators and Representatives of the "restored government of Virginia," who had been admitted to seats as already related. The Senate Committee on Territories, on the 23d of June, 1862, reported a bill to admit West Virginia, accepting all the provisions of the new constitution, except that relating to slaves, which consisted of a simple prohibition against their being brought into the State for permanent residence. In addition to this, the bill imposed as a condition precedent a system of gradual emancipation, beginning on the 4th of July, 1863.[1] The discussions developed considerable differences of opinion among Republicans as to the legality of the various local proceedings already had, and the constitutionality of the act of admission under consideration. Nevertheless, the bill passed the Senate, July 14, 1862, yeas 23, nays 17. The session was so nearly at its close that the House of Representatives did not take up the question until December following. There a similar divergence of views prevailed; but, as in the Senate, a decided majority favored the measure, and the bill passed, December 10, yeas 96, nays 55. This preliminary statement brings us to the point of special interest to the readers of this work, namely, the consideration of the bill by President Lincoln and his Cabinet.

"Globe," June 23, 1862, p. 2864.

Ibid., July 14, 1862, p. 3320.

Ibid., Dec. 10, 1862. p. 59.

[1] "The children of slaves born within the limits of this State after the fourth day of July, eighteen hundred and sixty-three, shall be free: and that all slaves within the said State who shall, at the time aforesaid, be under the age of ten years, shall be free when they arrive at the age of twenty-one years; and all slaves over ten and under twenty-one years, shall be free when they arrive at the age of twenty-five years; and no slave shall be permitted to come into the State for permanent residence therein." — "Statutes at Large," Vol. XII., page 634.

CHAP. XIV. On the 23d of December, 1862, the President addressed the following note to his constitutional advisers: "A bill for an act entitled 'An Act for the admission of the State of "West Virginia" into the Union, and for other purposes,' has passed the House of Representatives and the Senate, and has been duly presented to me for my action. I respectfully ask of each of you, an opinion in writing on the following questions, to wit: 1st. Is the said act constitutional? 2d. Is the said act expedient?"

Lincoln to the Cabinet, Dec. 23, 1862. MS.

Six members of the Cabinet answered this request with written opinions; the Secretary of the Interior, Caleb B. Smith, — the seventh member, — had recently retired from the Cabinet, having been appointed to a judgeship in Indiana, and his successor had not yet been named. Three members, Seward, Chase, and Stanton, answered the questions in the affirmative, the other three, Welles, Blair, and Bates, in the negative.

Upon the constitutional point, Mr. Seward's argument, in part, ran thus: "It seems to me that the political body which has given consent in this case is really and incontestably the State of Virginia. So long as the United States do not recognize the secession, departure, or separation of one of the States that State must be deemed as existing and having a constitutional place within the Union, whatever may be at any moment exactly its revolutionary condition. A State thus situated cannot be deemed to be divided into two or more States merely by any revolutionary proceeding which may have occurred, because there cannot be, constitutionally, two or more States of Virginia. . . The newly organized State of Virginia is therefore, at

this moment, by the express consent of the United States, invested with all the rights of the State of Virginia and charged with all the powers, privileges, and dignity of that State. If the United States allow to that organization any of these rights, powers, and privileges, it must be allowed to possess and enjoy them all. If it be a State competent to be represented in Congress and bound to pay taxes, it is a State competent to give the required consent of the State to the formation and erection of the new State of West Virginia within the jurisdiction of Virginia." "Upon the question of expediency," wrote Mr. Seward, "I am determined by two considerations. First. The people of Western Virginia will be safer from molestation for their loyalty, because better able to protect and defend themselves as a new and separate State, than they would be if left to demoralizing uncertainty upon the question whether, in the progress of the war, they may not be again reabsorbed in the State of Virginia, and subjected to severities as a punishment for their present devotion to the Union. The first duty of the United States is protection to loyalty wherever it is found. Second. I am of opinion that the harmony and peace of the Union will be promoted by allowing the new State to be formed and erected, which will assume jurisdiction over that part of the valley of the Ohio which lies on the south side of the Ohio River, displacing, in a constitutional and lawful manner, the jurisdiction heretofore exercised there by a political power concentrated at the head of the James River."

Seward to Lincoln, Dec. 26, 1862. MS.

On the question of constitutionality, Mr. Chase argued in part: "In every case of insurrection

CHAP. XIV. involving the persons exercising the powers of State government, when a large body of the people remain faithful, that body, so far as the Union is concerned, must be taken to constitute the State. It would have been as absurd as it would have been impolitic, to deny to the large loyal population of Virginia the powers of a State government, because men, whom they had clothed with executive or legislative or judicial powers, had betrayed their trusts and joined in rebellion against their country. It does not admit of doubt, therefore, as it seems to me, that the Legislature which gave its consent to the formation and erection of the State of West Virginia was the true and only lawful Legislature of the State of Virginia. The Madison Papers clearly show that the consent of the Legislature of the original State was the only consent required to the erection and formation of a new State within its jurisdiction. That consent having been given, the consent of the new State, if required, is proved by her application for admission. Nothing required by the Constitution to the formation and admission of West Virginia into the United States is, therefore, wanting; and the act of admission must necessarily be constitutional. Nor is this conclusion technical, as some may think. The Legislature of Virginia, it may be admitted, did not contain many members from the eastern counties; it contained, however, representatives from all counties whose inhabitants were not either rebels themselves, or dominated by greater numbers of rebels. It was the only Legislature of the State known to the Union. If its consent was not valid, no consent could be. If its consent was not valid, the Constitution, as to the

people of West Virginia, has been so suspended by the rebellion that a most important right under it is utterly lost." With regard to the question of expediency, he writes: "The act is almost universally regarded as of vital importance to their welfare by the loyal people most immediately interested, and it has received the sanction of large majorities in both Houses of Congress. These facts afford strong presumptions of expediency. . . It may be said, indeed, that the admission of West Virginia will draw after it the necessity of admitting other States under the consent of extemporized legislatures assuming to act for whole States, though really representing no important part of their territory. I think this necessity imaginary. There is no such legislature, nor is there likely to be. No such legislature, if extemporized, is likely to receive the recognition of Congress or the Executive. The case of West Virginia will form no evil precedent. Far otherwise. It will encourage the loyal by the assurance it will give of national recognition and support; but it will inspire no hopes that the National Government will countenance needless and unreasonable attempts to break up or impair the integrity of States. If a case parallel to that of West Virginia shall present itself, it will, doubtless, be entitled to like consideration; but the contingency of such a case is surely too remote to countervail all the considerations of expediency which sustain the act." CHAP. XIV.

Chase to Lincoln, Dec. 29, 1862. MS.

The answer of Mr. Stanton accords with his habitual positiveness of opinion and brevity of statement: "The Constitution expressly authorizes a new State to be formed or erected within the

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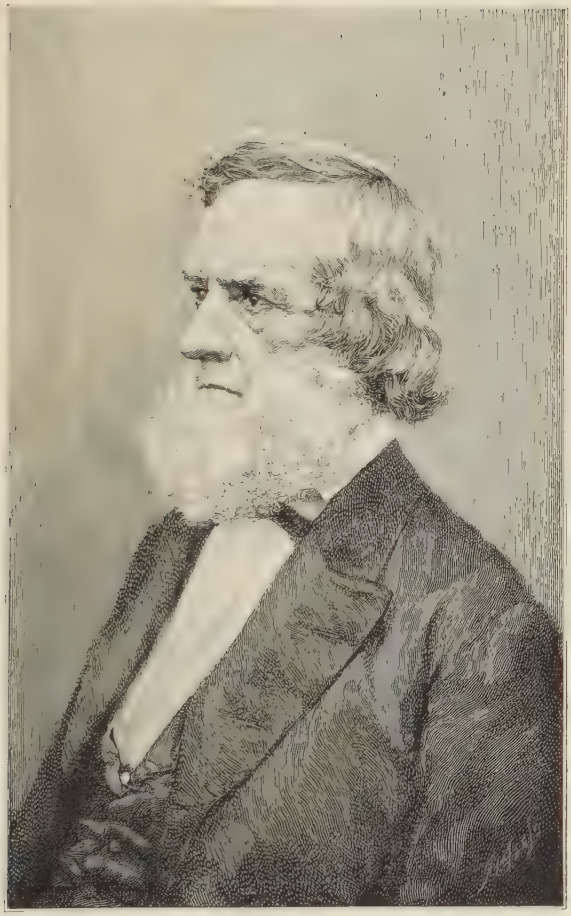
jurisdiction of another State. The act of Congress is in pursuance of that authority. The measure is sanctioned by the Legislature of the State, within whose jurisdiction the new State is formed. When the new State is formed, its consent can be given, and then all the requirements of the Constitution are complied with. I have been unable to perceive any point on which the act of Congress conflicts with the Constitution. By the erection of the new State, the geographical boundary heretofore existing between the free and slave States will be broken, and the advantage of this upon every point of consideration surpasses all objections which have occurred to me on the question of expediency. Many prophetic dangers and evils might be specified, but it is safe to suppose that those who come after us will be as wise as ourselves, and if what we deem evils be really such, they will be avoided. The present good is real and substantial, the future may safely be left in the care of those whose duty and interest may be involved in any possible future measures of legislation."

Stanton to Lincoln, Dec. 26, 1862. MS.

One or two extracts from the opinion of Mr. Welles will indicate the course of his argument in the negative: "Under existing necessities, an organization of the loyal citizens, or of a portion of them, has been recognized, and its Senators and Representatives admitted to seats in Congress. Yet we cannot close our eyes to the fact that the fragment of the State which, in the revolutionary tumult, has instituted the new organization, is not possessed of the records, archives, symbols, traditions, or capital of the commonwealth. Though calling itself the State of Virginia, it does not as-



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sume the debts and obligations contracted prior to the existing difficulties. Is this organization, then, really and in point of fact anything else than a provisional government for the State? It is composed almost entirely of those loyal citizens who reside beyond the mountains, and within the prescribed limits of the proposed new State. In this revolutionary period, there being no contestants, we are compelled to recognize the organization as Virginia. Whether that would be the case, and how the question would be met and disposed of, were the insurrection this day abandoned, need not now be discussed. Were Virginia, or those parts of it not included in the proposed new State invaded and held in temporary subjection by a foreign enemy instead of the insurgents, the fragment of territory and population which should successfully repel the enemy and adhere to the Union would doubtless, during such temporary subjection, be recognized, and properly recognized, as Virginia. When, however, this loyal fragment goes farther, and not only declares itself to be Virginia, but proceeds by its own act to detach itself permanently and forever from the commonwealth, and to erect itself into a new State within the jurisdiction of the State of Virginia, the question arises whether this proceeding is regular, legal, right, and, in honest good faith, conformable to, and within the letter and spirit of, the Constitution. . . Congress may admit new States into the Union; but any attempt to dismember or divide a State by any forced or unauthorized assumption would be an inexpedient exercise of doubtful power to the injury of such State. Were there no question of doubtful consti- CHAP. XIV.

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tutionality in the movement, the time selected for the division of the State is most inopportune. It is a period of civil commotion, when unity and concerted action on the part of all loyal citizens and authorities should be directed to a restoration of the Union, and all tendency towards disintegration and demoralization avoided."

Welles to Lincoln, Dec. 29, 1862. MS.

Mr. Blair's argument, also in the negative, was in part as follows: "The question is only whether the State of Virginia has consented to the partition of her territory and the formation of that part of it called Western Virginia into a separate State. In point of fact, it will not be contended that this has been done, for it is well known that the elections by which the movement has been made did not take place in more than a third of the counties of the State, and the votes on the constitution did not exceed twenty thousand. The argument for the fulfillment of the constitutional provisions applicable to this case rests altogether on the fact that the government organized at Wheeling (in which a portion of the district in which it is proposed to create the new State is represented with a few of the Eastern counties) has been recognized as the government of the State of Virginia for certain purposes by the Executive and Legislative branches of the Federal Government, and it is contended that by these acts the Federal Government is estopped from denying that the consent given by this government of Virginia to the creation of the new State is a sufficient consent within the meaning of the Constitution. It seems to me to be a sufficient answer to this argument to say: First, that it is confessedly merely technical, and assumes, un-

warrantably, that the qualified recognition which has been given to the government at Wheeling, for certain temporary purposes, precludes the Federal Government from taking notice of the fact that the Wheeling government represents much less than half the people of Virginia when it attempts to dismember the State permanently. Or, Second. That the present demand, of itself, proves the previous recognitions relied on to enforce it to be erroneous. For, unquestionably, the 4th Article of the Constitution prohibits the formation of a new State within the jurisdiction of an old one without the actual consent of the old State, and if it be true that we have so dealt with a third part of the people of Virginia as that to be consistent we should now permit that minority to divide the State, it does not follow that we should persist, but, on the contrary, it demonstrates that we have heretofore been wrong, and if consistency is insisted on, and is deemed necessary, we should recede from the positions heretofore taken. As to the expediency of the measure, I do not think it either necessary to recede from those positions or proper to take the new step insisted on now. There is no positive prohibition in the Constitution against the action taken by the Senate and House of Representatives in relation to the recognition of the Wheeling government, or in relation to the action taken by the Executive, and all that can be said if we reject the claim of the Wheeling government to represent the people of Virginia for the purpose now under consideration will be that it admits our previous action to have been irregular. The answer to this is, that if not regular, it was substantially just, and the circum- CHAP. XIV.

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stances of the case excuse the irregularity. For it was proper that the loyal people and the State of Virginia should be represented in Congress, and the representation allowed was not greater than their numbers entitled them to. But whilst it was just to the people of Western Virginia, whose country was not overrun by the rebel armies, to allow this representation, and for this purpose, and for the purposes of local government to recognize the State government instituted by them, it would be very unjust to the loyal people in the greater part of the State, who are now held in subjection by rebel armies, and who far exceed in number the twenty thousand who have voted on the constitution for Western Virginia, to permit the dismemberment of their State without their consent."

Blair to Lincoln, Dec. 26, 1862. MS.

The opinion of Attorney-General Bates was long and elaborate, and only a small part of it can be quoted here to show the course and spirit of his argument in the negative: "We all know — everybody knows — that the government of Virginia, recognized by Congress and the President, is a government of necessity, formed by that power which lies dormant in every people, which, though known and recognized, is never regulated by law, because its exact uses, and the occasions for its use, cannot be foreknown; and it is called into exercise by the great emergency which, overturning the regular government, necessitates its action, without waiting for the details and forms which all regular governments have. It is intended only to counteract the treacherous perversion of the ordained powers of the State, and stands only as a political nucleus around which the shattered elements of the old

Commonwealth may meet and combine, in all its original proportions, and be restored to its legitimate place in the Union. It is a provisional government, proper and necessary for the legitimate object for which it was made and recognized. That object was not to divide and destroy the State, but to rehabilitate and restore it. That government of Virginia, so formed and so recognized, does not and never did, in fact, represent and govern more than a small fraction of the State — perhaps a fourth part. And the Legislature which pretends to give the consent of Virginia to her own dismemberment is (as I am credibly informed) composed chiefly if not entirely of men who represent those forty-eight counties which constitute the new State of West Virginia. The act of consent is less in the nature of a law than of a contract. It is a grant of power, an agreement to be divided. And who made the agreement, and with whom? The representatives of the forty-eight counties with themselves! Is that fair dealing? Is that honest legislation? Is that a legitimate exercise of a constitutional power by the Legislature of Virginia? It seems to me that it is a mere abuse, nothing less than attempted secession, hardly veiled under the flimsy forms of law." CHAP. XIV.

Bates to Lincoln, Dec. 27, 1862. MS.

Between the conflicting and evenly balanced counsel the deciding opinion of President Lincoln becomes doubly interesting. Printed here for the first time, the complete document reads as follows:

The consent of the Legislature of Virginia is constitutionally necessary to the bill for the admission of West Virginia becoming a law. A body claiming to be such Legislature has given its consent. We cannot well deny

CHAP. XIV. that it is such, unless we do so upon the outside knowledge that the body was chosen at elections in which a majority of the qualified voters of Virginia did not participate. But it is a universal practice in the popular elections in all these States to give no legal consideration whatever to those who do not choose to vote as against the effect of the votes of those who do choose to vote. Hence it is not the qualified voters, but the qualified voters who choose to vote, that constitute the political power of the State. Much less than to non-voters, should any consideration be given to those who did not vote, in this case; because it is also matter of outside knowledge that they were not merely neglectful of their rights under, and duty to, this Government, but were also engaged in open rebellion against it. Doubtless among these non-voters were some Union men whose voices were smothered by the more numerous secessionists; but we know too little of their number to assign them any appreciable value. Can this Government stand, if it indulges constitutional constructions by which men in open rebellion against it are to be accounted, man for man, the equals of those who maintain their loyalty to it? Are they to be accounted even better citizens, and more worthy of consideration, than those who merely neglect to vote? If so, their treason against the Constitution enhances their constitutional value! Without braving these absurd conclusions, we cannot deny that the body which consents to the admission of West Virginia is the Legislature of Virginia. I do not think the plural form of the words "Legislatures" and "States," in the phrase of the Constitution "without the consent of the Legislatures of the States concerned," etc., has any reference to the new State concerned. That plural form sprang from the contemplation of two or more old States, contributing to form a new one. The idea that the new State was in danger of being admitted without its own consent was not provided against, because it was not thought of, as I conceive. It is said, the devil takes care of his own. Much more should a good spirit — the spirit of the Constitution and the Union — take care of its own. I think it cannot do less and live.

But is the admission into the Union of West Virginia

expedient? This, in my general view, is more a question for Congress, than for the Executive. Still I do not evade it. More than on anything else, it depends on whether the admission or rejection of the new State would, under all the circumstances, tend the more strongly to the restoration of the national authority throughout the Union. That which helps most in this direction is the most expedient at this time. Doubtless those in remaining Virginia would return to the Union, so to speak, less reluctantly without the division of the old State than with it, but I think we could not save as much in this quarter by rejecting the new State, as we should lose by it in West Virginia. We can scarcely dispense with the aid of West Virginia in this struggle; much less can we afford to have her against us, in Congress and in the field. Her brave and good men regard her admission into the Union as a matter of life and death. They have been true to the Union under very severe trials. We have so acted as to justify their hopes, and we cannot fully retain their confidence, and coöperation, if we seem to break faith with them. In fact, they could not do so much for us, if they would. Again, the admission of the new State turns that much slave soil to free; and thus, is a certain and irrevocable encroachment upon the cause of the rebellion. The division of a State is dreaded as a precedent. But a measure made expedient by a war is no precedent for times of peace. It is said that the admission of West Virginia is secession, and tolerated only because it is our secession. Well, if we call it by that name, there is still difference enough between secession against the Constitution, and secession in favor of the Constitution. I believe the admission of West Virginia into the Union is expedient.

Lincoln, Opinion, Dec. 31, 1862. MS.

Accordingly, on the 31st of December, 1862, President Lincoln signed the "Act for the Admission of the State of West Virginia into the Union," which thereby became a law. Nothing now remained to be done except a compliance by the new State with the condition precedent which Congress had imposed. The constitutional Convention was,

CHAP. XIV. therefore, again convened on the 12th of February, 1863, and the change duly adopted by it providing for gradual emancipation in the language which Congress had prescribed. The Convention also published an address to the voters warmly recommending it; and, at an election held on the 26th of March, the amended constitution was adopted by a majority of about seventeen thousand. In conformity with the act of Congress, President Lincoln thereupon issued his proclamation dated April 20, 1863, declaring that the act of admission should take force and effect sixty days from that date. At a supplementary election, the officers to form a new State government had been chosen, and on the 20th of June, 1863, it was formally inaugurated and West Virginia became one of the United States. The number of its counties had been increased to forty-eight; embracing an area of 23,000 square miles of territory, and containing a white population (according to the census of 1860) of 333,000, and about 12,000 slaves.

The system of gradual emancipation, imposed by the act of Congress and accepted by the State, left slavery in existence in the State until it should gradually disappear by the death of those over the age of twenty-five, by the arrival at the age of twenty-five of a second class, and at the age of twenty-one of a third class. But public opinion on this subject in West Virginia was swept along by the same causes which brought the institution to an early termination in other States of the Union. On the 9th of December, 1863, the Legislature passed an act permitting owners to emancipate their slaves, and also prohibiting the bringing of

slaves into the State and declaring them, if brought in, free after six months. No laws on the subject were passed during the year 1864, but when the great constitutional amendment came up for action in Congress in the winter of 1864–65, West Virginia obeyed the common impulse, and on January 23, 1865, her Legislature raised a joint committee of five from the House and three from the Senate to consider the subject of immediately abolishing slavery in that State. The members appear to have been ripe for a prompt decision, for on the 3d of February, 1865, three days after the Thirteenth Amendment had been adopted by Congress, an act was passed declaring: "1. All persons held to service or labor as slaves in this State are hereby declared free. 2. There shall hereafter be neither slavery nor involuntary servitude in this State, except in punishment for crime whereof the party shall have been duly convicted."

Session Laws of West Virginia, 1865, p. 6.

The organization and admission of the new State still left in existence the restored government of Virginia, of which Governor Peirpoint was the executive head. He had meanwhile removed his seat of government to Alexandria, where his authority and administration, still recognized by the President and Congress as being loyal and legal, were exercised over such portions of the remaining territory of the Old Dominion as came under the permanent control of the Union armies until the end of the Rebellion.

CHAPTER XV

LINCOLN AND THE CHURCHES

CHAP. XV. IN a conflict which was founded upon the quickened moral sense of the people it was not strange that the Government received the most earnest support from the Churches. From one end of the loyal States to the other, all the religious organizations, with few exceptions, moved by the twin forces of patriotism and religion, ranged themselves upon the side of the Government against the Rebellion. A large number of pulpits in the North had already taken their places as tribunes for the defense of popular freedom, and it was from them that, at the menace of war, the first cries of danger and of defiance rang out. Those ministers who had for years been denouncing the encroachments of slavery did not wait for any organized action on the part of their colleagues, but proclaimed at once in a thousand varying tones that peace was "a blessing worth fighting for." The more conservative Churches were but little in rear of the more advanced. Those who had counseled moderation and patience with the South, on account of the divided responsibility for slavery which rested on both halves of the nation, speedily felt the sense of release from the obligations of

brotherhood when the South had repudiated and renounced them, and rallied to the support of the insulted flag with an earnestness not less ardent, and more steadily trustworthy, than that of the original antislavery clergy. As the war went on, and as every stage of it gave a clearer presage of the coming destruction of slavery, the deliverances of the Churches became every day more and more decided in favor of the national cause and the downfall of human bondage. To detail the thousand ways in which the Churches testified their support of the national cause, to give even an abstract of the countless expressions of loyalty which came from the different religious bodies of the country, would occupy many volumes; we can only refer briefly to a few of the more important utterances of some of the great religious societies. CHAP. XV.

In all the Church conventions which met after the President's preliminary proclamation of the 22d of September, 1862, that act of liberation was greeted with the heartiest expressions of approval and support. The Baptist Convention of New York declared that "While we see with the profoundest sorrow thousands of husbands, fathers, brothers, and sons falling on the battlefield, considering the interests to be preserved and transmitted to future generations we cannot regard the sacrifice of treasure and of life too much for the object to be secured." They denounced "human slavery as the procuring cause of the rebellion now raging among us"; they declared that "the spirit of the age, the safety of the country, and the laws of God require its entire removal." The American Baptist Missionary Union had, in the spring of 1862, adopted

CHAP. XV. with unanimity resolutions characterizing "the war now waged by the National Government to put down the unprovoked and wicked rebellion that has risen against us, and to establish anew the reign of order and of law, as a most righteous and holy one, sanctioned alike by God and all right-thinking men"; expressing their opinion that "the principal cause and origin of this attempt to destroy the Government has been the institution of slavery," and that a safe, solid, and lasting peace could not be expected short of its complete overthrow. The next year they declared that the developments of the past year had only tended to deepen their conviction of these truths, which they solemnly reiterated and affirmed. They referred to the "fatal and suicidal blows" inflicted upon slavery by the slaveholders' rebellion, and said that "for thus overruling what appeared at first to be a terrible national calamity, to the production of results so unexpected and glorious, their gratitude and adoration are due to that wonder-working God who still maketh the wrath of men to praise him, while the remainder of wrath he restrains." They approved the President's proclamation and the acts of Congress abolishing slavery in the District of Columbia and the Territories, and hailed the dawn of that glorious day when "liberty shall be proclaimed throughout all the land unto all the inhabitants thereof." In severe and dignified language they expressed their gratitude for whatever measure of sympathy they had received from abroad, but at the same time declared that the United States asked no assistance from other nations, and would brook no intervention or inter-

ference. In October, 1864, at a meeting of the American Board of Foreign Missions, in Worcester, Massachusetts, the venerable Albert Barnes was granted leave to introduce, without reference to a committee, a series of resolutions expressing the hearty sympathy of the Board in the efforts to suppress the rebellion; hoping for the deliverance of the world from the oppression of slavery; and gratefully acknowledging "the divine interposition in the success which has attended the arms of the nation as an indication that we shall again be one people united under one glorious Constitution, united in our efforts to spread the Gospel around the world." These resolutions were adopted unanimously with great enthusiasm, the audience rising to their feet and singing the national anthem. CHAP. XV.

The State conferences of the Congregational churches passed similar resolutions from time to time. As a specimen of all we give an abstract of the resolutions of the Conference of Massachusetts in 1864. "The chief hope of rebellion is in the sympathy and distraction of a divided North, and the surest and shortest way to peace is not to recall our armies and to relax our grasp upon the enemy, but to present a united and loyal front and an unconquerable determination to prosecute the war till the power of the Government meets no longer armed resistance." They disclaim any feeling of despondency or of impatience, "believing that God is on our side," and interpret hopefully the divine delays which have "led to more and more radical and precious resolutions and deliverances," and assert roundly and with undaunted courage that "there can be no effectual reëstablishment of the

CHAP. XV. national authority by any negotiation which confesses the inability of the Government to subdue rebellion by force of arms and proposes terms of peace to rebels still flying the flag of defiance."

It was not only in New England that the Congregational churches maintained this stern and patriotic attitude. The General Association of New York, New Jersey, and Pennsylvania came boldly forward in the autumn of 1864, and, discarding all pretenses of non-partisanship or neutrality, declared for the reëlection of Mr. Lincoln in these unqualified words:

> As the momentous issues of this long and deadly contest are approaching their solution in a combined struggle in the field and at the polls, we will sustain with our votes the brave and noble men who are defending our liberties with their lives, and will animate our fellow-citizens by every consideration of religious hope and duty, of devotion to country and to liberty, to make the decision of the people on the 8th of November final and fatal to the hopes of traitors in arms and conspirators in political councils. Our hopes for the preservation of our liberties as a nation, and for the complete emancipation of the African race in the South, depend, under God, upon sustaining the Government in upholding the integrity of the Union throughout all the trials and doubts of the war, and in that policy which looks to the abandonment of slavery as the condition of permanent union and peace.

The German Reformed Synod passed earnest resolutions urging upon their clergy and laity to continue to labor and pray for the success of the Government in its efforts to suppress the rebellion, and to restore peace and union. These resolutions were reiterated from year to year in every State where this church had an organization in existence. The Lutheran General Synod which met at York

in 1864 passed resolutions denouncing slavery, setting forth "the necessity of its forcible suppression, the righteousness of the war which is waged by the Government of the United States for the maintenance of the national life, and the duty of every Christian to support it by the whole weight of his influence, his prayers, and his efforts." The Moravian Synod also denounced slavery and considered an earnest support of the Constitution and the laws a religious duty, and expressed its willingness "to render all the aid in its power to subdue unrighteous rebellion and extend the rightful authority of the Government over every portion of our country." CHAP. XV.

One of the most weighty utterances of any religious organization during the war was that of the General Assembly of the Presbyterian Church of the United States, which met at Columbus, Ohio, in the spring of 1862. Important as was this deliverance from the sanction which it carried, as the utterance of one of the most considerable religious organizations in the country, it was no less significant as the work of the Rev. Dr. R. J. Breckinridge of Kentucky, who held a position second to none in the border States in character, in political influence, and in social connections. This remarkable paper began with the praise of peace, but, in striking contrast to the many craven pleas based upon this theme during the war, it threw the blame of the violation of peace upon the disloyal and traitorous attempt to overthrow the National Government by military force. The report continues:

> This whole treason, rebellion, anarchy, fraud, and violence, is utterly contrary to the dictates of natural

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religion and morality, and is plainly condemned by the revealed will of God. It is the clear and solemn duty of the National Government to preserve, at whatever cost, the National Union and Constitution, to maintain the laws in their supremacy, to crush force by force, and to restore the reign of public order and peace to the entire nation by whatever lawful means that are necessary thereunto. And it is the bounden duty of the people who compose this great nation, each one in his several place and degree, to uphold the Federal Government and every State government and all persons in authority, whether civil or military, in all their lawful and proper acts, unto the end hereinbefore set forth.

The report denounces treason, rebellion, and anarchy as sinful, and gravely deprecates the conduct of the Southern synods in encouraging them. The concluding section says:

We record our gratitude to God for the prevailing unity of sentiment and general internal peace which have characterized the Church in the States that have not revolted, embracing a great majority of ministers, congregations, and people under our care. It may still be called with emphasis a loyal, orthodox, and pious Church, and all its acts and works indicate its right to a title so noble. . . Let a spirit of quietness, of mutual forbearance, and of ready obedience to authority, both civil and ecclesiastical, illustrate the loyalty, the orthodoxy, and the piety of the Church. . . In the name and by the authority of the Lord Jesus we earnestly exhort all who love God or fear his wrath to turn a deaf ear to all counsels and suggestions that tend towards a reaction favorable to disloyalty, schism, or disturbance, either in the Church or in the country. . . In all these respects we must give account to God in that great day, and it is in view of our own dread responsibility to the Judge of quick and dead that we now make this deliverance.

This austere and unqualified declaration of loyalty, this denunciation of a treason which was at that hour lifting a defiant and almost triumphant

ROBERT J. BRECKINRIDGE.

head through a great part of the Union, was adopted by a majority which, under the circumstances, is surprising. Two hundred and six ministers and ruling elders voted for it; only twenty voted against it; less than one in ten failed to rise to that height of moral and political duty. The keynote thus early set governed this powerful Church throughout the war. Its General Assembly, meeting at Newark, New Jersey, in 1864, adopted a long and most energetic report, declaring that "the time has at length come, in the providence of God, when it is his will that every vestige of human slavery among us should be effaced, and that every Christian man should address himself with industry and earnestness to his appropriate part in the performance of this great duty. . . Under the influence of the most incomprehensible infatuation of wickedness, those who are most deeply interested in the perpetuation of slavery have taken away every motive for its further toleration."

An attempt was made at the meeting of the Synod of New York to censure this action of the General Assembly of the Church, but it was voted down by a majority of six to one. The General Assembly of the United Presbyterian Church had passed equally strong and uncompromising resolutions: "Believing it to be a duty especially incumbent on the Church to let her light shine, . . . we trust that all the preachers of the Gospel, . . . of every denomination, will hear and obey God's voice, now calling upon them louder than ever before to open their mouth in behalf of the dumb."

CHAP. XV. The Reformed Presbyterian Church, commonly called the "Scotch Covenanters," addressed the President by committee in 1862, beginning with the proud boast that this Church, "true to its high lineage and ancient spirit, does not hold within its pale a single secessionist or sympathizer with rebellion in these United States." They congratulated him upon the antislavery measures of the Government and urged him,

> by every consideration drawn from the Word of God, and the present condition of our bleeding country, not to be moved from the path of duty on which you have so auspiciously entered, either by the threats or blandishments of the enemies of human progress, or . . . through fears of timid friends.

Two years later they met and declared that—"It is the duty of the Church of Christ to encourage and sustain the Government of the country in all that they do for the honor of God, the freedom of the enslaved, the mitigation of the inevitable evils of war, and the preservation, at all hazards, of the national life, integrity, and power."

The New School Presbyterians also lifted their voice with equal energy and clearness against the rebellion and in favor of the Government. At their General Assembly each year during the war they adopted resolutions of the most uncompromising loyalty, and on several occasions addressed the President personally with messages full of ardent devotion and high encouragement. They said: "Since the day of your inauguration, the thousands of our membership have followed you with unceasing prayer, besieging the throne of Heaven in your behalf. . . When we look at the

history of your Administration hitherto, and at the wonderful way in which this people have been led under your guidance, we glorify God in you."

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Cincinnati, May 22, 1862. McPherson, "History of the Rebellion," p. 469. Philadelphia, May 27, 1863.

A year later they embodied their sentiments of loyalty to the Union and opposition to slavery in a forcible series of resolutions, which were brought to Washington and presented to the President by a committee of which John A. Foote, a brother of the admiral, was chairman. The President replied:

It has been my happiness to receive testimonies of a similar nature from, I believe, all denominations of Christians. . . This to me is most gratifying, because from the beginning I saw that the issues of our great struggle depended on the Divine interposition and favor. . . . As a pilot, I have used my best exertions to keep afloat our Ship of State, and shall be glad to resign my trust at the appointed time to another pilot more skillful and successful than I may prove. In every case and at all hazards, the Government must be perpetuated. Relying as I do upon the Almighty Power, and encouraged as I am by these resolutions which you have just read, with the support which I receive from Christian men, I shall not hesitate to use all the means at my control to secure the termination of this rebellion, and will hope for success.

Of the firm and loyal attitude of the Protestant Episcopal Church this resolution of the Convention of the Diocese of Pennsylvania may serve as an example:

We hereby declare our unfaltering allegiance to the Government of the United States, and we pledge it our willing devotion and service; and as a body of Christians we will ever pray that, in God's own time and way, this rebellion may be put down; that oppression and slavery in all its forms may be done away; that freedom of body and mind, political and religious, may everywhere prevail;

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that the emancipated negroes, whom God in his providence is committing to our care, may be the objects of our liberal and Christian regard and instruction; that war may soon cease throughout all our borders, and that our now lacerated country may again be so united that from the lakes on the North to the gulf on the South, and from the Atlantic to the Pacific, there shall be but one Union, one Government, one flag, one Constitution, the whole culminating in that higher glory which shall make this nation Emmanuel's land — a mountain of holiness and a dwelling-place of righteousness."

No church was more ready or powerful in its support of the Government than the widespread Methodist Episcopal Church. From the beginning it took ground firmly and unanimously for the national cause; the Western armies especially were filled with the young and vigorous fighting men of that connection. To a committee of the General Conference of 1864, the President said:

Nobly sustained as the Government has been by all the churches, I would utter nothing which might in the least appear invidious against any. Yet, without this, it may fairly be said that the Methodist Episcopal Church, not less devoted than the best, is, by its greater numbers, the most important of all. It is no fault in others that the Methodist Church sends more soldiers to the field, more nurses to the hospitals, and more prayers to heaven than any other. God bless the Methodist Church. Bless all the churches, and blessed be God, who in this our great trial giveth us the churches.[1]

[1] In an address delivered by Dr. J. P. Newman in New Orleans, March 23, 1864, he makes this well-founded claim: "The Methodist Church has been unanimous and zealous in the defense of the Union. Her bishops, her ministers, and her laity have nobly responded to the call of their country in this hour of her peril. The voice of Simpson has been heard pleading eloquently for the union of the country. Ames, as patriotic as wise, has not hesitated to lend his aid to our unfortunate prisoners in Richmond and to give his sons to the army. Janes has found no narrow field for his philanthropic heart in the labors of the Christian Commis-

These energetic expressions of loyalty were not confined to the Protestant churches alone. Archbishop Hughes in New York gave his great personal and ecclesiastical influence to the support of the Government, and Archbishop Purcell of Cincinnati took occasion, in recommending the observance of Thanksgiving Day, 1864, to his people, to urge upon them the cause of the country. He said:

> We confess that it has greatly pained us to hear that certain rash, irreverent, and thoughtless men of our communion have denounced and abused the Government, the Administration, and their abettors. Now God commands us to bless, and curse not. And when bad men cursed the supporters of the Government, did they not reflect that they cursed the more than hundreds of thousands of Catholic voters and Catholic soldiers of our army who defend that Government in the field? Did they not reflect that its downfall would be hailed with acclamation by our own hereditary oppressors across the ocean? Did they reflect that if political salvation is ever to reach a far-distant and beloved island, it must come to it from these United States which they would sever?

"The Administration did not commence this war," the archbishop said, and went on in his address to contrast the conduct of the National Government with that of the rebellion. He said in conclusion: "It is time . . . that all . . . should rally around the . . . powers which the Apostle commands us to obey, and thus, presenting an undivided front to the enemy, reëstablish the Union, without which there can be no panacea, present or prospective, for the ills we suffer."

sion. All our church papers and periodicals have given an uncompromising, zealous, persistent support to the Government, and have thrown the whole weight of their influence, intelligent as it was potent, on the side of the Union."

CHAP. XV. The Society of Friends occupied a peculiar relation to the war. By the two leading tenets of their religion they were drawn in different ways; they were intensely opposed both to slavery and to war. While, therefore, they were ready to favor every act of Mr. Lincoln's Administration which promised to abridge the power and shorten the duration of slavery, they were placed in a cruel dilemma when called upon to take part in the only measures by which the country could be preserved, and the predominance of a government based upon slavery prevented. The result was as might readily be imagined. Human nature asserted itself in the midst of that serious and tranquil communion as everywhere else, and the Friends acted each according to his individual bent. In the words of the address of the Yearly Meeting of 1864: "Many of our young men, overcome by the spirit of war, have rushed into the conflict where some of them found an early death, some have purchased their release from the draft by the payment of money; others have remained steadfast to their faith in the hour of trial, thereby subjecting themselves to the penalty for desertion."

Those who entered the army illustrated in their plain speech and quiet courage the virtues of their lineage no less than those who, refusing to bear arms, bore uncomplainingly all that the law could inflict upon them by way of punishment for their contumacy. But the Society, as a body, remained outwardly true to both articles of its creed, and protested constantly against both slavery and the war which it caused. The yearly meeting of 1862 greeted with hearty approval the abolition of

slavery in the District of Columbia, while praying that the effusion of blood might be stayed; and that of 1864, while appreciating "the difficulties that surround those upon whom rests the responsibility of guiding the nation through the awful perils of civil war," and declining to "enter into judgment with those who differ" from them, still persisted in their dignified petition to the President and to Congress that they might not be compelled to offend their own consciences by complying with the law requiring military service.

Mr. Lincoln's attitude in relation to this question was especially delicate. Himself of Quaker ancestry, he felt a peculiar sympathy with their scruples, and yet he could not legally relieve them from their liabilities, and he clearly perceived the impolicy of recommending to Congress any specific measure of relief. He heard and answered their addresses with the greatest patience and respect, and intervened with his prerogative on occasions of peculiar hardship. We owe to these complications two or three letters, which strikingly exhibit his quick sympathies, his keen sense of justice, and his profound religious feeling. To the Quakers of Iowa, who had sent him an address through Senator Harlan, he wrote:

> It is most cheering and encouraging for me to know that in the efforts which I have made, and am making, for the restoration of a righteous peace to our country, I am upheld and sustained by the good wishes and prayers of God's people. No one is more deeply than myself aware that without his favor our highest wisdom is but as foolishness, and that our most strenuous efforts would avail nothing in the shadow of his displeasure. It seems to me that if there be one subject upon which all good

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Lincoln to Iowa Quakers, Jan. 5, 1862. MS.

men may unitedly agree, it is in imploring the gracious favor of the God of Nations upon the struggle our people are making for the preservation of their precious birthright of civil and religious liberty.

To the Quakers of Rhode Island, in answer to a letter, he said: "Engaged as I am, in a great war, I fear it will be difficult for the world to understand how fully I appreciate the principles of peace inculcated in this letter and everywhere by the Society of Friends."

Lincoln to Dr. S. B. Tobey, March 19, 1862. MS.

But one of the most significant of the President's letters, in which he expresses with less than his usual reserve his idea of the moral and religious bearings of the great conflict, was written to Mrs. Gurney, the wife of the eminent English preacher of the Society of Friends, in the autumn of 1864. It shows in a singularly touching and instructive way how the ancestral faith of the Quaker survived in this son of a pioneer, commander-in-chief of a million of men engaged in one of the most destructive wars of modern times:

MY ESTEEMED FRIEND: I have not forgotten — probably never shall forget — the very impressive occasion when yourself and friends visited me on a Sabbath forenoon, two years ago; nor has your kind letter, written nearly a year later, ever been forgotten. In all, it has been your purpose to strengthen my reliance on God. I am much indebted to the good Christian people of the country for their constant prayers and consolations, and to no one of them more than to yourself. The purposes of the Almighty are perfect, and must prevail, though we erring mortals may fail to accurately perceive them in advance. We hoped for a happy termination of this terrible war long before this; but God knows best, and has ruled otherwise. We shall yet acknowledge his wisdom, and our own error therein. Meanwhile we must work earnestly in the best lights he gives us, trusting

that so working still conduces to the great ends he ordains. Surely he intends some great good to follow this mighty convulsion, which no mortal could make, and no mortal could stay. Your people, the Friends, have had, and are having, a very great trial. On principle and faith, opposed to both war and oppression, they can only practically oppose oppression by war. In this hard dilemma, some have chosen one horn, and some the other. For those appealing to me on conscientious grounds, I have done, and shall do, the best I could and can, in my own conscience, under my oath to the law. That you believe this I doubt not, and believing it I shall still receive for our country and myself your earnest prayers to our Father in heaven.

Your sincere friend,

A. LINCOLN.

Lincoln to Mrs. Gurney, Sept. 4, 1864.

Among the important agencies through which the mingled patriotism and religion of the country lent their assistance to the armies of the Union were the Sanitary Commissions and the Christian Commission. The former collected and disbursed not less than $5,000,000 in cash and $9,000,000 in supplies for the benefit of the armies in the field and the sick and wounded in the hospitals, while the Christian Commission raised some $4,500,000, not only for this purpose, but also to extend to the soldiers the benefits and consolations of religion in cases where the overworked army chaplains found the complete fulfillment of these offices beyond their powers. The Sanitary Fairs throughout the country were remarkable exhibitions of the patriotism and philanthropy of the people. They were carried on to a great extent by the women of the country, and the quickening of the national spirit by these concerted efforts was of more importance to the Union cause than even the vast sums of money which were produced; though these were

CHAP. XV. unprecedented in the annals of charity. The fair of New York realized $1,300,000, nearly all of which was clear profit. On every great battlefield of the war, even before the thunder of the artillery was silenced, the trains of these great organizations were upon the field and their members were engaged caring for the wounded, bearing away the sick, praying with the dying, and receiving their last messages; while in every village of the North gentle and patriotic women were constantly employed making ready the stores of luxuries and delicacies dispensed by charitable agents at the front.

In the work of these beneficent agencies the President took a profound interest. He frequently consulted with Dr. H. W. Bellows and George H. Stuart as to the best means of carrying on their work. Being requested to preside at a meeting of the Christian Commission held in Washington on the 22d of February, 1863, he wrote:

Lincoln to Reed, Feb. 22, 1863.

> While for reasons that I deem sufficient I must decline to preside, I cannot withhold my approval of the meeting and its worthy objects. Whatever shall be, sincerely and in God's name, devised for the good of the soldiers and seamen in their hard spheres of duty can scarcely fail to be blessed. And whatever shall tend to turn our thoughts from the unreasoning and uncharitable passions, prejudices, and jealousies incident to a great national trouble such as ours, and to fix them on the vast and long-enduring consequences, for weal or for woe, which are to result from the struggle, and especially to strengthen our reliance on the Supreme Being for the final triumph of the right, cannot but be well for us all. The birthday of Washington and the Christian Sabbath coinciding this year, and suggesting together the highest interests of this life and of that to come, is most propitious for the meeting proposed.

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The cause of the rebellion was adopted and carried on by the Churches in the South, if not with more zeal and determination, at least with greater vehemence at the beginning than was shown by the religious organizations of the North. Even before the war began the State Convention of Baptists in Alabama made haste to rush into secession, saying that the Union "had failed in important particulars to answer the purpose for which it was created," and that they held themselves "subject to the call of proper authority in defense of the sovereignty . . . of Alabama, and of her right as a sovereignty to withdraw from this Union." Several of the Presbyterian Synods of the South went headlong into the rebellion before the close of the year 1860, and others followed their example in the autumn meetings of 1861. They formed the General Assembly of the South on the 4th of December of that year. Even before the inauguration of Mr. Lincoln the Protestant Episcopal Convention of several States formally withdrew from the Union, and that fiery soldier-priest Leonidas Polk, Bishop of Louisiana, commanded the clergy to shift their public prayers from the President of the United States to that of the Confederate States, saying, "Our separation from our brethren of the Protestant Episcopal Church of the United States has been effected because we must follow our nationality. . . Our relations to each other hereafter will be the relations we both now hold to the men of our mother Church in England." Unable to restrain his ardor within the limits of the Church militant, he exchanged his crozier for a sword, and in 1864 died by a cannon shot on the Georgia hills.

November, 1860.

CHAP. XV.

At the session of the first General Council of the Protestant Episcopal Church at Augusta, an address was adopted congratulating the Church in the Confederate States upon the unity which existed in its councils, upon its promise of growth and expansion, and upon the fact that the leading minds of the new republic were of their own communion; they called upon the Church to make strenuous efforts in behalf of the slaves of the South, and gently advocated such an arrangement of their peculiar institution as not to violate the right of marriage among the blacks. "Hitherto," they say, "we have been hindered by the pressure of Abolitionists; now that we have thrown off from us that hateful and infidel pestilence, we should prove to the world that we are faithful to our trust, and the Church should lead the hosts of the Lord in this work of justice and mercy." Feeble efforts in this direction were made by churches in other communions in the South, but strong opposition was at once developed. In the Transylvania Presbytery it was argued that "Though the matter presented was one of undoubted grievance, involving a sin which ought to be purged away, yet, to prevent agitation in the Church at such a time of intense political strife, there must be no intermeddling," and a resolution in favor of the solemnization of matrimony among slaves was laid upon the table, nearly every member of the Presbytery voting against it.

McPherson, "History of the Rebellion," p. 548.

The Methodist Church in the South had separated from their brethren in the North fifteen years before the war on the question of slavery, and a portion of their clergy and laity when the war broke out naturally engaged in it with their

accustomed zeal; but they were by no means unanimous, even within the seceding States, and the organization was sorely afflicted and impoverished by the war — though at its close they resumed their work with undiminished energy and soon regained all they had lost.[1]

As the national authority began to be reëstablished throughout the States in rebellion, not the least embarrassing of the questions which generals in command were called upon to decide was that of the treatment of churches whose pastors were openly or covertly disloyal to the Union. There was no general plan adopted by the Government for such cases; in fact, it was impossible to formulate a policy which should meet so vast a variety of circumstances as presented themselves in the different regions of the South. The Board of Missions of the Methodist Church sent down some of their ablest ministers, with general authority to take charge of the abandoned churches, and to establish in them their interrupted worship. The Mission boards of other denominations took similar action, and the Secretary of War gave general orders to the officers commanding the different de-

[1] At a convention of loyal ministers and laymen of the Methodist Episcopal Church held at Knoxville, August, 1864, it was resolved that the loyal members of the conference have a just claim to all the church property; that they really constitute the Southern Methodist Episcopal Church, within the bounds of the Holston Conference; that they propose, at the earliest day practicable, to transfer the same to the Methodist Episcopal Church in the United States; and that the ministers be instructed to propose to their congregations to unite *en masse* with that church. Their report states that "there are in the bounds of the Holston Conference 120 preachers known to be loyal, and forty others supposed to be true to the Union, and it is thought, therefore, that the work of reconstruction will be easily accomplished."— McPherson, "History of the Rebellion," p. 546.

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March 10, 1864. McPherson, "History of the Rebellion," p. 522.

partments to permit ministers of the Gospel bearing the commission of these Mission boards to exercise the functions of their office and to give them all the aid, countenance, and support which might be practicable.

But before and after these orders there was much clashing between the military and the ecclesiastical authorities, which had its rise generally in the individual temperaments of the respective generals and priests. There was an instance in one place where a young officer rose in his pew and requested an Episcopal minister to read the prayer for the President of the United States, which he had omitted. Upon the minister's refusal the soldier advanced to the pulpit and led the preacher, loudly protesting, to the door, and then quietly returning to the altar himself read the prayer — not much, it is to be feared, to the edification of the congregation. General Butler arrested a clergyman in Norfolk, and placed him at hard labor on the public works, for disloyalty in belief and action; but the President reversed this sentence and changed it to one of exclusion from the Union lines. The Catholic Bishop of Natchez having refused to read the prescribed form of prayer for the President, and having protested in an able and temperate paper against the orders of the commanding general in this regard, the latter ordered him to be expelled from the Union lines, although the order was almost immediately rescinded. General Rosecrans issued an order in Missouri requiring the members of religious convocations to give satisfactory evidence of their loyalty to the Government of the United States as

Report of Judge-Advocate General, April 30, 1864.

March 7, 1864.

a condition precedent to their assemblage and protection. In answer to the protestations which naturally resulted from this mandate he replied that it was given at the request of many loyal church members, both lay and clerical; that if he should permit all bodies claiming to be religious to meet without question, a convocation of Price's army, under the garb of religion, might assemble with impunity and plot treason. He claimed that there was no hardship in compelling the members of such assemblages to establish their loyalty by oath and certificate, and insisted that his order, while protesting against public danger, really protected the purity and the freedom of religion.

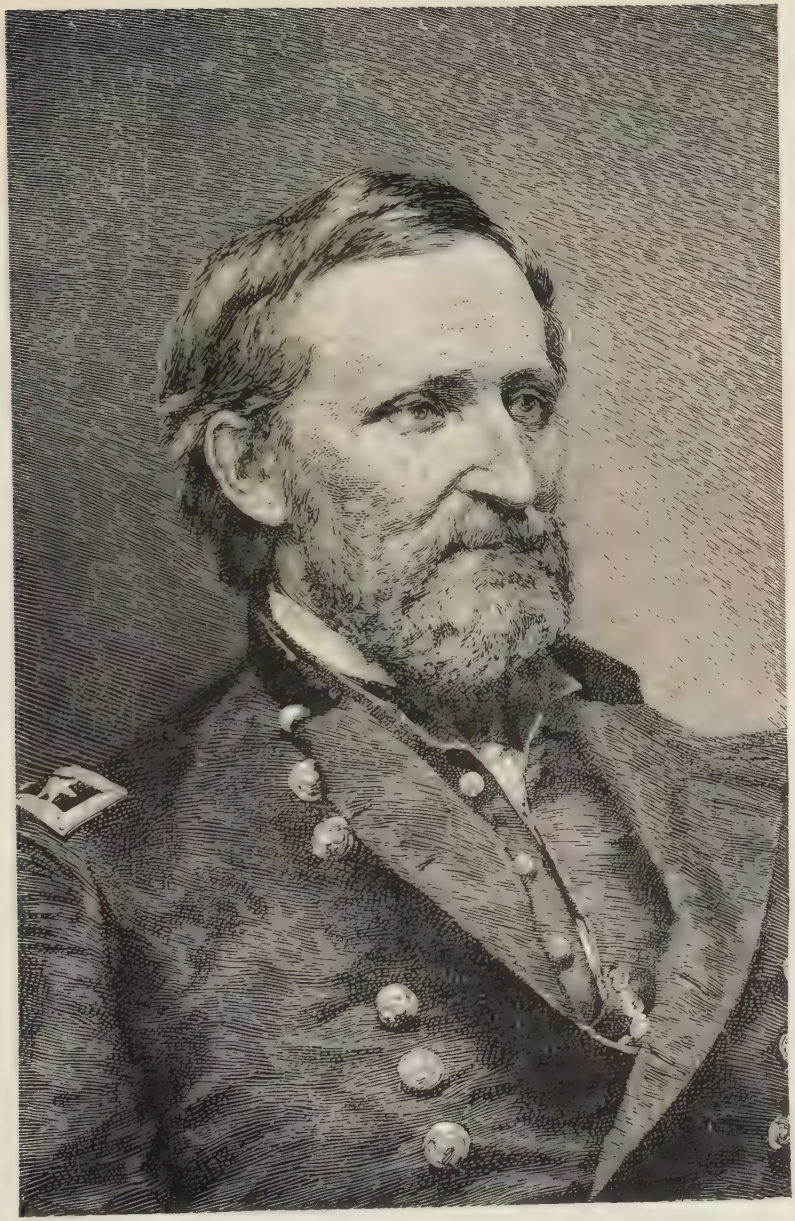
In the course of these controversies between secessionist ministers and commanding generals an incident occurred which deserves a moment's notice, as it led to a clear and vigorous statement from Mr. Lincoln of his attitude in regard to these matters. During the year 1862 a somewhat bitter discussion arose between the Rev. Dr. McPheeters of the Vine Street Church in St. Louis and some of his congregation in regard to his supposed sympathies with the rebellion. Looking back upon the controversy from this distance of time it seems that rather hard measure was dealt to the parson; for although, from all the circumstances of the case, there appears little doubt that his feelings were strongly enlisted in the cause of the rebellion, he behaved with so much discretion that the principal offenses charged against him by his zealous parishioners were that he once baptized a baby rebel by the name of Sterling Price, and that he would not declare himself in favor of the Union.

CHAP. XV. The difference in his church grew continually more flagrant, and was sustained by interminable letters and statements on both sides, until at last the provost-marshal intervened, ordering the arrest of Dr. McPheeters, excluding him from his pulpit, and taking the control of his church out of the hands of its trustees. This action gave rise to extended comment, not only in Missouri, but throughout the Union. The President, being informed of it, wrote to General Curtis disapproving the act of the provost-marshal, saying, in a terse and vigorous phrase, which immediately obtained wide currency, "The United States Government must not, as by this order, undertake to run the Churches. When an individual in a church, or out of it, becomes dangerous to the public interest he must be checked; but let the Churches, as such, take care of themselves."

Lincoln to Curtis, Jan. 2, 1863. W. R. Vol. XXII., Part II., p. 7.

But even this peremptory and unmistakable command did not put an end to the discussion. Taking the hands of the Government away from the preacher did not quench the dissensions in the church, nor restore the pastor to the position which he occupied before the war; and almost a year later some of the friends of Dr. McPheeters considered it necessary and proper to ask the intervention of the President to restore to him all his ecclesiastical privileges in addition to the civil rights which they admitted he already enjoyed. This the President, in a letter of equal clearness and vigor, refused to do. "I have never interfered," he said, "nor thought of interfering, as to who shall, or shall not, preach in any church; nor have I knowingly or believingly tolerated any one else to so interfere by my

Dec. 22, 1863.



MAJOR-GENERAL W. S. ROSECRANS.

authority"; but he continues, "If, after all, what is now sought is to have me put Dr. McPheeters back over the heads of a majority of his own congregation, that too will be declined. I will not have control of any church, on any side." The case finally ended by the exclusion of Dr. McPheeters from his pulpit by the order of the presbytery having ecclesiastical authority in the case.

Lincoln to O. D. Filley, Dec. 22, 1863.

In this wise and salutary abstention from any interference with the Churches, which was dictated by his own convictions as well as enjoined by the Constitution, the President did not always have the support of his subordinates. He had not only, as we have seen, to administer occasional rebukes to his over-zealous generals, but even in his own Cabinet he was sometimes compelled to overrule a disposition to abuse of authority in things spiritual. Several weeks after he had so clearly expressed himself in the McPheeters case, he found, to his amazement, that the Secretary of War had been giving orders virtually putting the army in certain places at the disposition of a Methodist bishop for the enforcement of his ecclesiastical decrees. He addressed to Mr. Stanton a note of measured censure,[1] which was followed by an order from the War Department explaining and modifying the more objectionable features of the former document.

[1] "After having made these declarations in good faith and in writing, you can conceive of my embarrassment at now having brought to me what purports to be a formal order of the War Department, bearing date November 30, 1863, giving Bishop Ames control and possession of all the Methodist churches in certain Southern Military Departments whose pastors have not been appointed by a loyal bishop or bishops, and ordering the military to aid him against any resistance which may be made to his taking such possession and control. What is to be done about it?"—Lincoln to Stanton, MS., Feb. 11, 1864.

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Lincoln to Hogan, Indorsement on modified order, Feb. 13, 1864.

The Secretary explained that his action had no other intention than to furnish "a means of rallying the Methodist people in favor of the Union, in localities where the rebellion had disorganized and scattered them." This explanation was not entirely satisfactory to the President, but he thought best to make no further public reference to the matter. Scarcely was this affair disposed of when a complaint was received from Memphis of some interference by the military with a church edifice there. Mr. Lincoln made upon the paper this peremptory indorsement: "If the military have military need of the church building, let them keep it; otherwise, let them get out of it, and leave it and its owners alone, except for causes that justify the arrest of any one." Two months later the President, hearing of further complications in the case, made still another order, which, even at the risk of wearying the reader, we will give, from his own manuscript, as illustrating not only his conscientious desire that justice should be done, but also the exasperating obstacles he was continually compelled to surmount, in those troubled times, to accomplish, with all the vast powers at his disposition, this reasonable desire.

Lincoln, March 4, 1864. MS.

I am now told that the military were not in possession of the building; and yet that in pretended execution of the above they, the military, put one set of men out of and another set into the building. This, if true, is most extraordinary. I say again, if there be no military need for the building, leave it alone, neither putting any one in nor out of it, except on finding some one preaching or practicing treason, in which case lay hands upon him, just as if he were doing the same thing in any other building, or in the streets or highways.

Lincoln, May 13, 1864. MS.

He at last made himself understood and his orders respected; yet so widespread was the tendency of generals to meddle with matters beyond their jurisdiction, that it took three years of such vehement injunctions as these to teach them to keep their hands away from the clergy and the churches. CHAP. XV.

Lincoln had a profound respect for every form of sincere religious belief. He steadily refused to show favor to any particular denomination of Christians; and when General Grant issued an unjust and injurious order against the Jews expelling them from his department, the President ordered it to be revoked the moment it was brought to his notice. W. R. Vol. XVII., Part II., pp. 424, 530.

Lincoln was a man of profound and intense religious feeling. We have no purpose of attempting to formulate his creed; we question if he himself ever did so. There have been swift witnesses who, judging from expressions uttered in his callow youth, have called him an atheist, and others who, with the most laudable intentions, have remembered improbable conversations which they bring forward to prove at once his orthodoxy and their own intimacy with him. But leaving aside these apocryphal evidences, we have only to look at his authentic public and private utterances to see how deep and strong in all the latter part of his life was the current of his religious thought and emotion. He continually invited and appreciated, at their highest value, the prayers of good people. The pressure of the tremendous problems by which he was surrounded; the awful moral significance of the conflict in which he was the chief combatant; the overwhelming sense of personal responsibility,

CHAP. XV. which never left him for an hour—all contributed to produce, in a temperament naturally serious and predisposed to a spiritual view of life and conduct, a sense of reverent acceptance of the guidance of a Superior Power. From that morning when, standing amid the falling snowflakes on the railway car at Springfield, he asked the prayers of his neighbors in those touching phrases whose echo rose that night in invocations from thousands of family altars, to the memorable hour when on the steps of the National Capitol he humbled himself before his Creator in the sublime words of the second inaugural, there is not an expression known to have come from his lips or his pen but proves that he held himself answerable in every act of his career to a more august tribunal than any on earth. The fact that he was not a communicant of any church, and that he was singularly reserved in regard to his personal religious life, gives only the greater force to these striking proofs of his profound reverence and faith.

In final substantiation of this assertion, we subjoin two papers from the hand of the President, one official and the other private, which bear within themselves the imprint of a sincere devotion and a steadfast reliance upon the power and benignity of an overruling Providence. The first is an order which he issued on the 16th of November, 1862, on the observance of Sunday:

> The President, Commander-in-Chief of the Army and Navy, desires and enjoins the orderly observance of the Sabbath by the officers and men in the military and naval service. The importance for man and beast of the prescribed weekly rest, the sacred rights of Christian soldiers

and sailors, a becoming deference to the best sentiment of a Christian people, and a due regard for the Divine will, demand that Sunday labor in the Army and Navy be reduced to the measure of strict necessity. The discipline and character of the national forces should not suffer, nor the cause they defend be imperiled, by the profanation of the day or name of the Most High. "At this time of public distress"— adopting the words of Washington in 1776—"men may find enough to do in the service of God and their country without abandoning themselves to vice and immorality." The first General Order issued by the Father of his Country after the Declaration of Independence indicates the spirit in which our institutions were founded and should ever be defended. "The General hopes and trusts that every officer and man will endeavor to live and act as becomes a Christian soldier, defending the dearest rights and liberties of his country."[1] CHAP. XV. Lincoln, Order, Nov. 16, 1862.

But if it may be said that this order was, after all, an exoteric utterance springing from those relations of religion and good government which the wisest rulers have always recognized in their intercourse with the people, we will give one other document, of which nothing of the sort can be said. It is a paper which Mr. Lincoln wrote in September, 1862, while his mind was burdened with the weightiest question of his life, the weightiest with which this century has had to grapple. Wearied with all the considerations of law and of expediency with which he had been struggling for two years, he retired within himself and tried to

[1] General McDowell used to tell a story which gives a quaint illustration of Mr. Lincoln's Sabbatarian feeling. The President had ordered a movement which required dispatch, and in his anxiety rode to McDowell's headquarters to inquire how soon he could start. "On Monday morning," said McDowell; "or, by pushing things, perhaps Sunday afternoon." Lincoln, after a moment's thought, said, "McDowell, get a good ready and start Monday."—Hermann Haupt, MS. Memoirs.

CHAP. XV. bring some order into his thoughts by rising above the wrangling of men and of parties, and pondering the relations of human government to the Divine. In this frame of mind, absolutely detached from any earthly considerations, he wrote this meditation. It has never been published. It was not written to be seen of men. It was penned in the awful sincerity of a perfectly honest soul trying to bring itself into closer communion with its Maker.

The will of God prevails. In great contests each party claims to act in accordance with the will of God. Both *may* be and one *must* be wrong. God cannot be *for* and *against* the same thing at the same time. In the present civil war it is quite possible that God's purpose is something different from the purpose of either party; and yet the human instrumentalities, working just as they do, are of the best adaptation to effect his purpose. I am almost ready to say that this is probably true; that God wills this contest, and wills that it shall not end yet. By his mere great power on the minds of the now contestants, he could have either *saved* or *destroyed* the Union without a human contest. Yet the contest began. And having begun, he could give the final victory to either side any day. Yet the contest proceeds.

CHAPTER XVI

MILITARY GOVERNORS

BY the Union victories in the spring of 1862 very considerable areas of territory in States in rebellion came under the control and occupation of the Union armies, namely: in Tennessee, after the battles of Fort Donelson and Shiloh; in Arkansas, after the battle of Pea Ridge; in North Carolina, after the capture of Roanoke Island; and in Louisiana, after the capture of New Orleans.

The sudden change from Confederate to Federal authority involved everywhere either a serious derangement or total cessation of the ordinary administration of local civil law, and the displacement from the occupied territory of State governments and State officials who claimed to be exercising functions under ordinances of secession, and yielding obedience to the self-styled Confederate States. A similar displacement had occurred in Virginia and in Missouri during the year 1861, but in those States prompt remedies were available. In Virginia, by a spontaneous and overwhelming popular movement, a delegate Convention was assembled, which at once abrogated the rebel, and restored a Federal State government, from which, in due time, sprang the separation of Virginia, and

CHAP. XVI. the erection and admission of the new State of West Virginia. In Missouri there existed a lawfully chosen State Convention, a full quorum of which was called together under its own rules, and by ordinances of undoubted validity vacated the State offices held by insurgents and appointed a provisional State government, loyal to the Federal Union.

Neither of these courses, however, was immediately feasible in the other States we have named, and a substitute was found in the appointment of military governors to represent and exert such State and local authority as the anomalous conditions made practicable, and as the supreme military necessities might allow. The first of these
1862. appointments occurred in Tennessee. Nashville, the capital, having been evacuated about February 23, 1862, President Lincoln nominated, and the Senate confirmed, Andrew Johnson (March 4, 1862) as military governor with the rank of brigadier-general. In a speech made by Governor Johnson at Nashville, on assuming his duties, he thus sketched what he understood to be his official functions:

> The State government has disappeared. The Executive has abdicated; the Legislature has dissolved; the Judiciary is in abeyance. . . The archives have been desecrated; the public property stolen and destroyed; the vaults of the State bank violated, and its treasures robbed, including the funds carefully gathered and consecrated for all time to the instruction of our children. In such a lamentable crisis, the Government of the United States could not be unmindful of its high constitutional obligation to guarantee to every State in this Union a republican form of government. . . This obligation the National Government is now attempting to discharge. I have been ap-

pointed, in the absence of the regular and established State authorities, as military governor for the time being, to preserve the public property of the State, to give the protection of law actively enforced to her citizens, and, as speedily as may be, to restore her government to the same condition as before the existing rebellion. . . I find most, if not all of the offices, both State and Federal, vacated either by actual abandonment, or by the action of the incumbents in attempting to subordinate their functions to a power in hostility to the fundamental law of the State, and subversive of her national allegiance. . . I shall, therefore, as early as practicable, designate for various positions under the State and county governments, from among my fellow-citizens, persons of probity and intelligence, and bearing true allegiance to the Constitution and Government of the United States, who will execute the functions of their respective offices until their places can be filled by the action of the people.

Address of Andrew Johnson, published March 18, 1862.

Conforming to this precedent, Mr. Lincoln, through the Secretary of War, appointed Edward Stanley military governor of North Carolina, "with authority to exercise and perform, within the limits of that State, all and singular the powers, duties, and functions pertaining to the office of military governor (including the power to establish all necessary offices and tribunals, and suspend the writ of *habeas corpus)* during the pleasure of the President, or until the loyal inhabitants of that State shall organize a civil government in conformity with the Constitution of the United States." "It is obvious to you," added the Secretary on the 20th, "that the great purpose of your appointment is to reëstablish the authority of the Federal Government in the State of North Carolina, and provide the means of maintaining peace and security to the loyal inhabitants of that State, until they shall be able to establish a civil government."

May 19, 1862.

Stanton to Stanley, May 19, 1862. W. R. Vol. IX., pp. 396, 397.

Ibid., May 20, 1862. W. R. Vol. IX., p. 397.

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In like manner, soon after news was received of the successes in the Gulf, Colonel G. F. Shepley (of the 12th Maine Infantry) of Butler's army was appointed military governor of Louisiana, this selection being made because General Butler had already designated him to act as mayor of the city of New Orleans, and it was thought best to combine both functions in the same individual. The utility of such appointments had been so far demonstrated that when General Curtis, after the battle of Pea Ridge, had marched down White River to Helena on the Mississippi River, and was preparing to resume from that point his meditated advance on Little Rock, with every prospect that he would be able to hold it permanently, a similar commission as military governor of Arkansas was given to John S. Phelps, a citizen of Missouri, with the intention that he should accompany the army and assume his duties as soon as the capital of the State was reached, to prevent the delays of communication to and from Washington. Subsequent military events, however, delayed the advance of the Union army to that place more than a year, and when it finally occurred, a spontaneous popular movement organized a Convention which appointed a provisional governor, rendering the intervention of a military governor unnecessary. Mr. Phelps therefore never actually entered upon any practical official duties.

Stanton to Butler, June 10, 1862. W. R. Vol. XV., p. 471.

March, 1862.

It is not within the scope of this work to review the official administration of these military governors, except so far as it relates to the action of President Lincoln on the subject of what is known as reconstruction, or, more properly, the reorganiza-

tion of loyal State governments. His treatment of the question, both theoretical and practical, grew logically out of the successive military and political events of his administration. In his inaugural address the President had laid down the following propositions: "I hold that, in contemplation of universal law, and of the Constitution, the union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments. . . It follows, from these views, that no State, upon its own mere motion, can lawfully get out of the Union; that resolves and ordinances to that effect are legally void; and that acts of violence, within any State or States, against the authority of the United States, are insurrectionary or revolutionary, according to circumstances. I, therefore, consider that, in view of the Constitution and the laws, the Union is unbroken." And in his special message to Congress on July 4, 1861, occurs this supplementary declaration: "The States have their status in the Union, and they have no other legal status. If they break from this they can only do so against law and by revolution."

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Lincoln, Inaugural, March 4, 1861.

It is hardly necessary to prove that by the term "revolution" the President meant successful, and not merely attempted, revolution. The action of the Government in all its departments was based upon the idea that the rebellion was the unlawful proceeding of individuals which neither destroyed nor impaired any rights or obligations of Statehood, nor even any rights or obligations of their co-citizens who remained loyal. This doctrine was announced by Mr. Lincoln in the same special

CHAP. XVI.

message, where he declared: "The people of Virginia have thus allowed this giant insurrection to make its nest within her borders; and this Government has no choice left but to deal with it where it finds it. And it has the less regret, as the loyal citizens have, in due form, claimed its protection. Those loyal citizens this Government is bound to recognize and protect, as being Virginia." The language refers of course to the provisional government headed by Peirpoint, which was organized by the Wheeling Convention. Congress took precisely the same view of the matter in recognizing and admitting to seats, not alone Senators and Representatives from Virginia and Missouri, where provisional loyal State governments had been organized, but also Senator Andrew Johnson and Representatives Horace Maynard and Andrew J. Clements from Tennessee, where no such reorganization had taken place.

Lincoln, Message, July 4, 1861.

We have no further expression of Lincoln's views until the midsummer of 1862, when he touched upon the subject quite incidentally in connection with Louisiana matters. Reverdy Johnson, who had been sent there on Government business, wrote him that complaints were being made about the course of General Phelps of Butler's army. In his reply of July 26, 1862, Mr. Lincoln wrote:

1862.

The people of Louisiana — all intelligent people everywhere — know full well that I never had a wish to touch the foundations of their society, or any right of theirs. With perfect knowledge of this, they forced a necessity upon me to send armies among them, and it is their own fault, not mine, that they are annoyed by the presence of General Phelps. . . They very well know the way to

avert all this is simply to take their place in the Union upon the old terms.

Lincoln to Reverdy Johnson, July 26, 1862. MS.

Two days later the President developed his idea more fully in a letter to Cuthbert Bullitt:

The people of Louisiana who wish protection to person and property, have but to reach forth their hands and take it. Let them in good faith reinaugurate the national authority and set up a State government conforming thereto under the Constitution. They know how to do it, and can have the protection of the army while doing it. The army will be withdrawn so soon as such State government can dispense with its presence, and the people of the State can then, upon the old constitutional terms, govern themselves to their own liking.

Lincoln to Bullitt, July 28, 1862. Corrected by MS.

It would seem that after writing this letter, President Lincoln took no further action upon the subject of reconstruction for more than two months. During this time he fully matured the policy he intended to pursue in regard to slavery, and definitely announced it in the preliminary emancipation proclamation of September 22, 1862. That proclamation gave notice that States which were in good faith represented in Congress would be deemed not in rebellion, and would, by such return to loyalty, escape the threatened penalty of emancipation. In addition, it seemed to him but just to give, so far as he could, a reasonable opportunity for such repentance to manifest itself. Accordingly, on the fourteenth of October, he sent, by a former resident of Louisiana, and the only Representative from that State who had kept his seat in Congress in defiance of her ordinance of secession, the following confidential letter to the commander of the Department of the Gulf and the military governor of Louisiana:

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EXECUTIVE MANSION,
WASHINGTON, October 14, 1862.

MAJOR-GENERAL BUTLER, GOVERNOR SHEPLEY, AND ALL HAVING MILITARY AND NAVAL AUTHORITY UNDER THE UNITED STATES WITHIN THE STATE OF LOUISIANA: The bearer of this, Hon. John E. Bouligny, a citizen of Louisiana, goes to that State seeking to have such of the people thereof as desire to avoid the unsatisfactory prospect before them, and to have peace again upon the old terms, under the Constitution of the United States, to manifest such desire by elections of Members to the Congress of the United States particularly, and perhaps a Legislature, State officers, and United States Senators friendly to their object. I shall be glad for you, and each of you, to aid him and all others acting for this object as much as possible. In all available ways give the people a chance to express their wishes at these elections. Follow forms of law as far as convenient, but at all events get the expression of the largest number of the people possible. All see how such action will connect with and affect the proclamation of September 22. Of course the men elected should be gentlemen of character, willing to swear support to the Constitution, as of old, and known to be above reasonable suspicion of duplicity.

Lincoln to Butler *et al.*, Oct. 14, 1862.

Yours very respectfully,

A. LINCOLN.[1]

There appears to have been some delay in the delivery of the foregoing letter to Governor Shepley, though it would seem that the President's desire to have Members of Congress elected became known to the New Orleans politicians, who naturally were interested in these prospective chances; and one of them came to consult the President. He bore back with him a letter explaining that Mr.

[1] On this letter was the following indorsement in Lincoln's handwriting:

"Similar letter to General Grant, Governor Johnson, and others in Tennessee, dated October 21, 1862.

"And to Steele, Phelps, and others in Arkansas, November 18, 1862."

Lincoln desired a genuine election and not a sham; a revival of healthy political action to demonstrate whether or not Louisiana contained any loyal citizens: CHAP. XVI.

DEAR SIR: Dr. Kennedy, bearer of this, has some apprehension that Federal officers, not citizens of Louisiana, may be set up as candidates for Congress in that State. In my view there could be no possible object in such an election. We do not particularly need Members of Congress from there to enable us to get along with legislation here. What we do want is the conclusive evidence that respectable citizens of Louisiana are willing to be Members of Congress and to swear support to the Constitution, and that other respectable citizens there are willing to vote for them and send them. To send a parcel of Northern men here as Representatives, elected, as would be understood (and perhaps really so), at the point of the bayonet, would be disgraceful and outrageous; and were I a Member of Congress here, I would vote against admitting any such man to a seat.

Yours, very truly,

A. LINCOLN.

HON. G. F. SHEPLEY.

Lincoln to Shepley, Nov. 21, 1862. Corrected from Autograph MS.

On the same day the President also addressed a private letter to Governor Shepley, setting forth at considerable length the specific action he wished the military Governor to take to inaugurate reconstruction.

Your letter of the 6th instant to the Secretary of War has been placed in my hands; and I am annoyed to learn from it that, at its date, nothing had been done about Congressional elections. On the 14th of October I addressed a letter to General Butler, yourself, and others upon this very subject, sending it by Hon. Mr. Bouligny. I now regret the necessity of inferring that you had not seen this letter up to the 6th instant. I inclose you a copy of it, and also a copy of another addressed to yourself this morning upon the same general subject, and

CHAP. XVI. placed in the hands of Dr. Kennedy. I ask attention to both.

I wish elections for Congressmen to take place in Louisiana; but I wish it to be a movement of the people of the district, and not a movement of our military and quasi-military authorities there. I merely wish our authorities to give the people a chance — to protect them against secession interference. Of course the election cannot be according to strict law — by State law, there is, I suppose, no election day before January; and the regular election officers will not act in many cases, if in any. These knots must be cut, the main object being to get an expression of the people. If they would fix a day and a way, for themselves, all the better; but if they stand idle, not seeming to know what to do, do you fix these things for them by proclamation. And do not waste a day about it, but fix the election day early enough that we can hear the result here by the first of January. Fix a day for an election in all the districts, and have it held in as many places as you can.

Lincoln to Shepley, Nov. 21, 1862. MS.

Under this direction of the President, Governor Shepley caused an election for Members of Congress to be held in the first and second Congressional districts of Louisiana, each of which embraced about one-half of the city of New Orleans with some outlying territory; all other districts of the State being outside the Union military lines. The usual legal forms prescribed by the statutes of the State were observed; the Governor appointed sheriffs and commissioners of election; and old citizens of the State, of loyalty and respectability, accepted the appointments and discharged their duties to the entire satisfaction of both candidates and voters. The election was held on the 3d of December, 1862, in perfect order and quiet; it was in no wise interfered with by the army, and no Federal office-holder was a candidate. Indeed, it was ad-

GENERAL BENJAMIN F. BUTLER.

mitted that, for the first time in a considerable number of years, every qualified voter might freely cast his ballot without fear of intimidation or violence. In the first district, B. F. Flanders was chosen by 2370 out of the total of 2643 votes. In the second district, Michael Hahn was chosen by 2799 out of the total of 5117, about one-half the usual vote having been polled in each district. Flanders and Hahn were admitted to seats in the House of Representatives after full scrutiny, the chairman of the Committee on Elections declaring, "That this had every essential of a regular election in a time of most profound peace, with the exception of the fact that the proclamation was issued by the military instead of the civil governor of Louisiana."

"Globe," Feb. 9, 1863, p. 832.

CHAPTER XVII

COLONIZATION

CH. XVII. THE political creed of Abraham Lincoln embraced, among other tenets, a belief in the value and promise of colonization as one means of solving the great race problem involved in the existence of slavery in the United States. This belief he had learned from the teachings of some of the most eminent American statesmen, notably from the leader and idol of the Whig party—Henry Clay. It was a theory which commended itself especially to progressive thinkers in the Southern States, as a doctrine permitting them the expression of liberal and humane views on slavery, without subjecting them to the odium connecting itself with the avowal of what was stigmatized as simple abolitionism. We need not here discuss the doctrine of colonization. It had been advocated for half a century, favored by some of the greatest minds of the nation, and the Government was fully committed to it by the part it had practically and officially taken in the establishment of first the colony, and afterwards the independent state of Liberia. When we consider all the conditions under which that experiment was tried, it is perhaps equally rash to pronounce it either a success or a failure.

Without being an enthusiast, Lincoln was a firm believer in colonization. He did not shut his eyes to its difficulties. "If all earthly power were given me," said he in debate with Douglas, "I should not know what to do, as to the existing institution. My first impulse would be to free all the slaves and send them to Liberia — to their own native land. But a moment's reflection would convince me that, whatever of high hope (as I think there is) there may be in this in the long run, its sudden execution is impossible. If they were all landed there in a day, they would all perish in the next ten days; and there are not surplus shipping and surplus money enough in the world to carry them there in many times ten days." But he had also said a year before, "The enterprise is a difficult one, but 'where there is a will, there is a way'; and what colonization needs most is a hearty will. Will springs from the two elements of moral sense and self-interest. Let us be brought to believe it is morally right, and at the same time favorable to, or at least not against, our interest, to transfer the African to his native clime, and we shall find a way to do it, however great the task may be."

Lincoln-Douglas Debates, p. 74.

Lincoln, Springfield Speech, June 26, 1857.

When Lincoln uttered these sentiments, he little dreamed that the problem would ever confront him in a serious practical form. But already, during the first year of the war, large numbers of slaves in rebel States not only became actually free by escape or capture, but also legally free through the operation of the earliest Confiscation Act, approved August 6, 1861. In this new condition, their protection and maintenance to a considerable extent

CH. XVII.

fell upon the Government; and while the able-bodied rendered service in return, the care and support of those incapable of military labor formed a serious burden upon army resources and supervision. In touching on the question in his first annual message to Congress, the President took into view the future of slaves freed and to be freed by army movements. He had already resolved upon his plan of compensated abolishment, through which he hoped to bring about emancipation in the border States; and it seemed to him that nothing would contribute so powerfully to this result as some comprehensive and well-considered scheme of colonization. He therefore strongly urged the project in his message, recommending the appropriation of money and the acquisition of territory for that object, keeping always in view, however, as specifically declared in his later messages, that it should be with the consent of the freed people. Congress responded to these recommendations by three distinct enactments. First, the appropriation of $100,000 to aid in the colonization and settlement of such free negroes residing in the District of Columbia, or of those to be freed under the Emancipation Act for that District, "as may desire to emigrate to the Republic of Hayti or Liberia, or such other country beyond the limits of the United States as the President may determine." Second, an appropriation of $500,000 "to carry out the Act of Congress for the emancipation of the slaves in the District of Columbia, and to colonize those to be made free by the probable passage of a confiscation bill." Third, a clause of the Confiscation Act, "That the President of the United States is

Dec. 3, 1861.

Section XI. of Act approved April 16, 1862.

Act approved July 16, 1862.

hereby authorized to make provision for the transportation, colonization, and settlement in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the Government of said country to their protection and settlement within the same, with all the rights and privileges of freemen." CH. XVII. Section XII. of the Act of July 17, 1862.

In accordance with the authority conferred by these acts, Mr. Seward, on the 30th of September, addressed a circular to the governments of England, France, the Netherlands, and Denmark, making known to them the desire of the President to enter into negotiations on the subject of colonization with any foreign power having territory or colonies within the tropics, which, maintaining free constitutional government, might desire the benefits of such emigration. He suggested a ten years' treaty, mentioning also somewhat elaborate specifications of guarantees for the perpetual freedom, protection, and equal rights of the colonists and their descendants. Both before and after the transmission of this circular, various propositions came to the Department of State offering lands for such colonization: in the Danish Island of St. Croix, West Indies; in the Netherland colony of Surinam; in the British colony of Guiana; in British Honduras; in Hayti; in Liberia; in New Granada, and in Ecuador. 1862.

Among these propositions two only commended themselves to the special attention of the President. The first was a colony proposed to be settled on the lands lying on the lagoon and harbor of Chiriqui, in the northwestern corner of the state of Panama,

CH. XVII. of the republic of New Granada, along the line of one of the proposed ship canals across the Isthmus of Darien. It was reported that here, in addition to the ordinary advantages of tropical soil and climate, and its proximity to a prospective route of international commerce, there existed valuable deposits of coal, the mining of which for naval supply would at once furnish profitable occupation to labor. This locality seemed to offer such a combination of favorable opportunities that Mr. Lincoln for a time interested himself greatly in the examination and furtherance of the enterprise, and a preliminary contract was made with the grantee of the lands to begin colonization and improvements as soon as an eligible site could be selected. Two obstacles to the consummation of the scheme, however, developed themselves. One was that a conflict of title and jurisdiction between the states of Costa Rica and New Granada was brought to the notice of the Department of State, which caused a suspension of preparations until it could be settled.

The other was of a yet more serious character. Documents and reports which had been submitted to the President seemed sufficiently to authenticate the existence of valuable coal beds at the point indicated; but feeling a necessity for the greatest caution in an undertaking of such magnitude and consequence, he referred the question to Professor Henry, of the Smithsonian Institution, for scientific examination. This discreet and learned officer answered "that the geological formation of the [Chiriqui] District is not that of the true coal measures, but that of the tertiary deposit in which only lignite is found." He further inclosed the written

opinion of an expert, which pronounced the Chiriqui coal of little or no commercial value. "A boxful of it, sent to the Academy of Sciences, Philadelphia, has slacked down to a boxful of coal dirt. This is, of course, owing to the abundance of sulphuret of iron. It would be a dangerous coal also to carry on voyages, for it would spontaneously take fire. . . I think that if the Government owned large beds and extensive tracts favorably situated for getting out the coal, it would not use the coal when placed in depot, and would abandon the mines after they had been opened." Professor Henry therefore added this emphatic advice: "I hope the Government will not make any contracts in regard to the purchase of the Chiriqui District until it has been thoroughly examined by persons of known capacity and integrity. A critical examination of all that has been reported on the existence of valuable beds of coal in that region has failed to convince me of the fact." This revelation, added to the controversy about the title, seems to have terminated the Chiriqui enterprise. CH. XVII.

Joseph Henry, to the Assistant Secretary of State, Sept. 5, 1862. MS.

Before this result was reached another project had been under consideration — to establish a colony on one of the islands of Hayti. A Mr. Bernard Kock, represented to be a business man, thus described the locality in a letter to the President:

> The most beautiful, healthy, and fertile of all the islands belonging to the republic of Hayti is the island of A' Vache, which is about twelve miles from the city of Aux Cayes. It covers an area of about a hundred square miles, is known to be free from reptiles, and to have a healthy and agreeable temperature, the thermometer rising rarely above 80° in the shade, in consequence of its exposure to the trade-winds. The interior of the

CH. XVII. island is hilly, in some places rising as high as three hundred feet above the level of the sea. It is well timbered with mahogany, oak, hard, and dye woods, while in the neighborhood of the coast it is mostly prairie land, and ready for the plow. As would be expected in a country like this, the soil and climate are adapted for all tropical productions, particularly sugar, coffee, indigo, and, more especially, cotton, which is indigenous. Upon the north side of the island is the beautiful bay of Ferret, with an average depth of twenty-eight feet, upon whose bosom a large fleet could repose in safety, secure from the storms of the ocean; and here it is proposed to erect a commercial city, with all the conveniences necessary to such an enterprise. Before the revolution which gave St. Domingo to the colored race, a portion of this island was cultivated by the Duke of Praslin, to whom it belonged by right of concession, but the French were driven from it, and for nearly a hundred years it has been a solitary waste, awaiting the hand of industry to awaken its echoes. Attracted by its beauty, the value of its timber, its extreme fertility, and its adaptation for the cultivation of cotton, I prevailed upon President Geffrard to concede the island to me for twenty years, the documentary evidence of which has been lodged with the Secretary of the Interior.

On the 31st of December, 1862, the President signed a contract under which Bernard Kock, for a compensation of fifty dollars per head from the Government, agreed to colonize five thousand persons of African descent on the island of A' Vache.[1] The contractor bound himself to furnish the colonists comfortable houses, garden lots, substantial food, medical attendance and medicines, provide them churches, religious instruction, and elementary schools, and employ them during four years for money wages at rates varying from four dollars per

[1] Most of the facts herein set forth have been gleaned from the manuscript archives of the Department of the Interior.

month for minors and women to ten dollars per month for male adults; ten hours' work to constitute a day's labor. The contractor further agreed to procure from the Haytian Government the guarantee stipulated for in Mr. Seward's circular of September 30, 1862, proposing emigration to foreign governments, as follows: "All such emigrants and their posterity shall forever remain free, and in no case be reduced to bondage, slavery, or involuntary servitude, except for crime; and they shall specially enjoy liberty of conscience and the right to acquire, hold, and transmit property, and all other privileges of persons common to the inhabitants of the country in which they reside. It should be further stipulated that in cases of indigence resulting from injury, sickness, or age, any of such emigrants who shall become paupers shall not thereupon be suffered to perish or come to want, but shall be supported and cared for as is customary with similar inhabitants of the country in which they shall be residents."

Kock thereupon sought the financial assistance of certain capitalists in New York and Boston, and laid before them this brilliant scheme of speculation: He would transport five hundred emigrants to this island; they would immediately begin a plantation on which, by the first of the following September, a period of eight or nine months, he would guarantee a crop of one thousand bales of cotton, which cotton, at the prospective war price of one dollar per pound, and four hundred and fifty pounds to the bale, would yield nearly half a million dollars. The estimate of necessary outlay to accomplish this result he placed at $70,000. The hearts of million-

CH. XVII. aires could not withstand the temptation of a project which promised a profit of more than six hundred per cent. in nine months, especially as it combined itself with the opportunity of promoting great moral benefits to country and humanity. Without taking the necessary time and pains to investigate rigidly the personal character and qualifications of Bernard Kock, or even to inspect the contract which the President had signed, but depending blindly upon the misrepresentations Kock made to them, they became responsible for considerable advances and expenditures, with which he began to freight ships and collect emigrants.

But a brief time had elapsed when it became known to the Government that Bernard Kock was an irresponsible and untruthful adventurer, whose project had no substantial foundation, except his lease of the island and the confidence the capitalists had given him. There was also an ominous rumor that he was in league with Captain Semmes, the Confederate privateer, to hand over the negroes to him on the high seas as "captured runaway slaves." Under such circumstances the President not only refused to proceed, but immediately caused the contract to be canceled. This turn of affairs left the capitalists in an awkward situation; and to secure their financial venture on the one hand, and the continuance of the experiment of colonization on the other, they caused Bernard Kock to assign his lease of the island to them, and they in their own names entered into a contract with the Secretary of the Interior, on the 6th of April, 1863, similar in its main features to the one which had been canceled. Under this second contract a

ship-load of colonists was collected from among the contrabands about Fort Monroe, and during that month the *Ocean Ranger* sailed for Ile A' Vache with colored emigrants variously stated to number from 411 to 453 persons—about one-third of whom were women and children. CH. XVII. April, 1863.

In the absence of full records, there is uncertainty, not alone about the number of persons, the date of sailing, and date of arrival, but also about the correctness of charges of neglect and privation during the voyage. One sad occurrence is admitted by all. Through some carelessness, infection from a military hospital on Craney Island was carried on ship-board, and during the voyage small-pox broke out, from which twenty or thirty died. The scourge was soon controlled after landing, but other hardships confronted the colonists. No hospital was ready for the sick, no houses were ready for those who were well, the small stock of lumber sent out was used for the main buildings and warehouses, and the working-people were obliged to shelter themselves in huts of wickerwork and palm-leaf thatch, rudely constructed after the Haytian fashion. Exposure, which ought to have been provided against, brought a certain amount of sickness which might have been avoided. The delays attending the sailing brought the colony to its destination in an unpropitious season. Bernard Kock was sent along as governor of the colony, because of the legal formalities necessary to the assignment of his lease. But, although he was merely a political and financial dummy, he put on the airs of a petty despot, and by neglect and oppression rendered himself so obnoxious to the col-

CH. XVII. onists that they finally drove him from the island. Some of the white superintendents sickened and died. Insect pests tormented the badly sheltered people. Between accusations of mismanagement and oppression on the one side, and of idleness, extravagant demands, and mutiny on the other, the quiet and security of the settlement were far from Arcadian. Churches and schools remained only dreams of a forgotten promise. The Haytian Government naturalized the emigrants, but refused to give the guarantee stipulated for by Mr. Seward. It is alleged that parties on the mainland, interested in rival projects of colonization, busied themselves in stirring up discontent to thwart the enterprise.

1863. The 1st of September came, but there were no crops for food, no thousand bales of cotton; only a wharf and a number of buildings on a fine bay and harbor, flanked by a motley and miserable collection of huts; and some roads cut through the almost impenetrable jungle from the extemporized village to the more eligible savannahs or prairies lying a mile or two inland. Rumors of the situation had come to the President, and on the 17th of October, D. C. Donnohue, a special agent, was instructed to go to the colony to investigate its condition and afford it relief. Numerous unavoidable causes delayed his arrival until the 15th of December.

On the 12th of December, the silent partner in the firm of capitalists whose names were signed to the contract wrote to the Secretary of the Interior, saying: "By the next steamer I shall send out instructions to supply them [the emigrants]

with nothing more at our expense; nor shall we pay any further drafts that may be made for their support." The report of the special agent says: "Upon my arrival at the island I was informed that the company [the contractors with the Government] had ceased to give the emigrants either employment or wages since the 5th day of November, forty days before my arrival. I found that there was but a small stock of provisions upon the island, and but a small portion of these suitable for the sick." Another part of his report states: "I found there surviving of that party (a few of the number at Aux Cayes) three hundred and seventy-eight souls. The residue of the four hundred and thirty-one mentioned in the journal of one Bernard Kock, who accompanied the emigrants, had either died or returned to the United States. My information is that the number of the latter was eight. Of the number on the island, thirty-one were seriously sick, and numerous others more or less disabled from the effects of poisonous insects in their feet. Four died before leaving the island." According to the instructions he had received, the special agent immediately assumed charge of the emigrants, furnishing them with the necessaries of life, and ameliorating their condition in every feasible way. He found upon inquiry that the Haytian Government was unwilling that the emigrants should remain upon the island, and they, on the other hand, were thoroughly dissatisfied, and of one desire to return to the United States. As soon, therefore, as the necessary arrangements could be made, the Secretary of the Interior sent a vessel to bring them back, and on the 4th of March, 1864,

CH. XVII. March, 1864.

the survivors sailed from the island on the ship *Marcia C. Day*, casting anchor in the Potomac River opposite Alexandria, Virginia, on the 20th of the same month.

The statements of both sides are so conflicting that it is impossible to form a satisfactory judgment whether under better management this experiment of colonization would have succeeded. The company alleged that their agents and superintendents, by actual trial, demonstrated the essential unfruitfulness of the soil; the Government's special agent declared that "The Island of A' Vache is inconceivably fertile, and as well watered as could be desired — very healthy, considering the latitude, . . . and well calculated to support the emigrants and yield a large surplus of the most valuable products. . . During my stay on the island the colonists, under my direction, neatly dressed a field of about twenty acres of cotton then just springing from the ground, and I had the pleasure, before my departure, of seeing this cotton beginning to ripen, having obtained a growth far beyond any I had ever seen, though I have visited and been acquainted with the best cotton-growing regions of the United States." To this statement he, however, adds the further opinion, for the formation of which his observations and experience would seem to have furnished him good opportunities: "There are, in my judgment, reasons which will, for many years to come, render abortive all attempts at colonizing the free colored people of the United States in the republic of Hayti; prominent among which are the great dissimilarities which exist in language, religion, education, and government." But aside from

theories that might be faulty, or reports of observations which might prove inaccurate, the events of the war had already moved the question forward beyond the stage of judicious experiment. No further effort at colonization was made by the President, and by an act approved July 2, 1864, Congress repealed its appropriations for that object.

"Statutes at Large," Vol. XIII., p. 352.

CHAPTER XVIII

MISSOURI GUERRILLAS AND POLITICS

Ch. XVIII.

April 10, 1862.

WHEN Halleck went from his department headquarters at St. Louis to take command of the Union armies in Tennessee and begin his Corinth campaign, he left with General Schofield as his sole instruction the brief injunction to "take care of Missouri." Practically, Schofield had already for some months been charged with this duty by virtue of his command and supervision of the Missouri State Militia, which he had organized under the special agreement between the Governor of that State and the President. The Missouri delegation in Congress, foreseeing the troubles likely to arise, asked the President to give Schofield independent command in the State during Halleck's absence. Lincoln referred the request to Halleck. Halleck's jealousy of authority comes out strongly in his reply: "I would rather resign than to have him given an independent command in my department." Nevertheless, as Halleck not only remained in the field, but was in the following July transferred to Washington, the change was so far made as to erect Missouri (except three southeastern counties) into a separate Military District of which Schofield was given command.

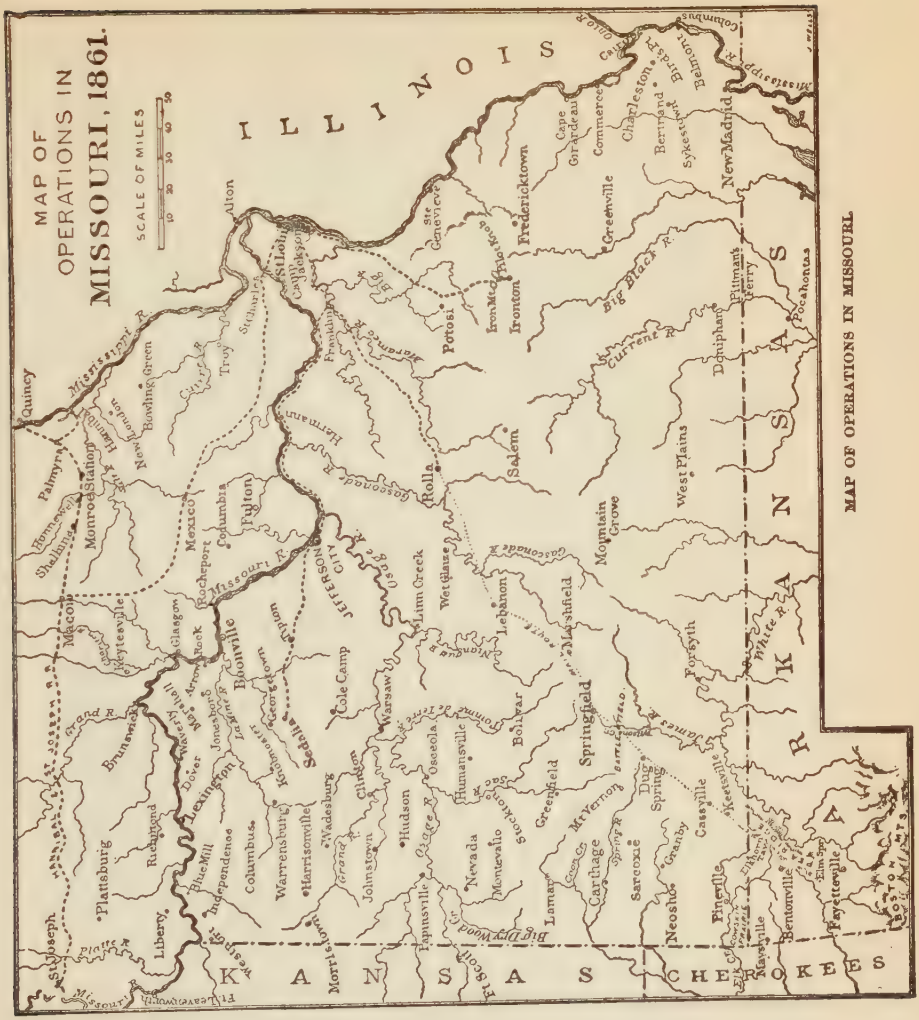
W. R. Vol. VIII., pp. 454-456.

Lincoln to Halleck, May 1, 1862. W. R. Vol. XIII., p. 368.

Halleck to Lincoln, Ibid.

Kelton, Orders, June 1, 1862. W. R. Vol. XIII., p. 409.

GENERAL JOHN M. SCHOFIELD.



MAP OF OPERATIONS IN MISSOURI

CH. XVIII. 1862. His instruction to "take care of Missouri" was not easy of execution. The social, political, and military disorders sprang from a tangle of conflicting sentiment and irreconcilable factions. At the bottom lay the hatred and daring of an active secession minority. Their sympathies and desires, springing from bitter pro-slavery intolerance, had created as a natural reaction an intense antislavery opposition, forming the basis and strength of the Missouri Unionists. But the Union party also counted in its ranks many men of moderate pro-slavery views whose conservatism the aggressive antislavery Radicals were little disposed to humor or tolerate. Minor causes of complication and rivalry existed in the former issue and revocation of the proclamation of Frémont, in the defense or condemnation of his military acts, in the support or the criticism of Halleck's Order No. 3, in the personal quarrels between the respective adherents of Frémont and Blair. These factions and their subdivisions so far mentioned, had their main strength in the city of St. Louis and in the river towns on the Mississippi, forming a fringe along the eastern border of the State. Along its western border, near the dividing line between Missouri and Kansas, a somewhat different condition prevailed. There the dragon's teeth sown in the days of the Border Ruffians were yet yielding a baleful harvest of illicit arms and private vengeance. The complaints in former years of Border Ruffian forays from Missouri into Kansas, were, as soon as the civil war began, paid with interest by a continual accusation of incursions of Kansas "Jayhawkers" and "Red Legs" into Missouri. It was

alleged that, under pretense of military service in the Union cause, they plundered the dwellings, stole the horses, and ran off the slaves of the neighborhoods they visited, without nice discrimination between the loyal and disloyal. They, on the other hand, retorted that such accusations came from men who with willful deception preached Unionism in public and practiced rebellion in secret. CH. XVIII.

Midway through the State, or rather in a diagonal belt from Southwest to Northeast, lay the pathways and haunts of the guerrillas proper, along which surged irregularly and spasmodically the incursions and risings of partisan leaders and their bands of secession "bushwhackers." During the winter of 1861, the military activity which attended the organization of the Governor's Missouri State Militia, combined with the inclemency of the season, had served to maintain a reasonable quiet, but with the opening mildness of the summer, secession manifestations once more began to increase. The drilled United States regiments were mostly sent away to reënforce the Tennessee armies. Curtis, having won the decisive battle of Pea Ridge, was penetrating into Arkansas, and by that movement leaving Southern Missouri without the controlling influence of a military force. The very completeness of his victory also produced a resort by the enemy to methods of warfare which bore pernicious fruits in Missouri. Not only did the battle of Pea Ridge scatter and demoralize the rebel forces which were for the moment united in that encounter, but the fragments of Van Dorn's army were soon afterwards entirely withdrawn from Arkansas to assist in stemming the tide of March, 1862.

CH. XVIII. disaster in Tennessee. An official report of the Confederate commander, T. C. Hindman, draws a strong picture of the complete wreck of Confederate power and authority in Arkansas which followed the Union victory of Pea Ridge, or, as the rebels named it, Elkhorn Tavern. "The Governor and other executive officers fled from the capital, taking the archives of State with them. The courts were suspended and civil magistrates almost universally ceased to exercise their functions. Confederate money was openly refused, or so depreciated as to be nearly worthless. This, with the short crop of the preceding year and the failure on all the uplands of the one then growing, gave rise to the cruelest extortion in the necessaries of life, and menaced the poor with actual starvation. These evils were aggravated by an address of the Governor, issued shortly before his flight, deprecating the withdrawal of troops and threatening secession from the Confederacy."

Hindman, Report, June 19, 1863. W. R. Vol. XIII., p. 30.

No single incident conveys so vivid an idea of the sudden weakening of resistance to the Union flag in the trans-Mississippi country, and none conveys a more striking idea of the geographical vastness of the conflict than that here was an empire of territory which the side in possession could not defend, and the side in rightful authority could not occupy. If at that critical juncture McClellan had possessed the courage and skill to capture Richmond, and Halleck the genius and boldness to open the Mississippi, for the achievement of which successes the country and the Administration had furnished both these generals armies sufficient in numbers,

the rebellion could scarcely have maintained any cohesion beyond the year 1862. But McClellan failed, and Halleck's plans and orders threw the Western armies into a deplorable attitude of defense and delay, which left the enemy at all points time to renew their confidence and recruit their offensive strength. To a certain extent they availed themselves of this advantage in Arkansas and Missouri. The rebel general Hindman arrived at Little Rock about the end of May, 1862, with orders to revive the Confederate cause, though, if we may believe his report, he found little encouragement in his surroundings. "In the existing condition of things," he wrote, "General Beauregard could not spare me a soldier, a gun, a pound of powder, nor a single dollar of money." His own report admits that he remedied his difficulties to a small degree by exercising the unlimited authority of a military dictator, for which "usurped powers" and "needless rigor" he was censured by Jefferson Davis. The more noteworthy point of his report is the following frank language: "With the view to revive the hopes of loyal men in Missouri, and to get troops from that State, I gave authority to various persons to raise companies and regiments there, and to operate as guerrillas. They soon became exceedingly active, and rendered important services, destroying wagon-trains and transports, tearing up railways, breaking telegraph-lines, capturing towns, and thus compelling the enemy to keep there a large force that might have been employed elsewhere."

1862.

Davis to Holmes, W. R. Vol. XIII., p. 874.

Hindman, Report, June 19, 1863. W. R. Vol. XIII., p. 33.

The desperate policy and the barbarous orders of this character employed by certain Confederate offi-

CH. XVIII. cers must be held responsible for the horrors so deplorably common in the State of Missouri during the entire period of the rebellion. We have seen how General Price began this unlawful system of hostilities during the year 1861, and how the orders of Halleck defined and punished such crimes. Hindman's order brought a renewal of the system, which soon created danger and turmoil in many parts of the State. Severe remedies became necessary. "The time is past," said an order of General Schofield (May 29, 1862), "when insurrection and rebellion in Missouri can cloak itself under the guise of honorable warfare. The utmost vigilance and energy are enjoined upon all the troops of the State in hunting down and destroying these robbers and assassins. When caught in arms, engaged in their unlawful warfare, they will be shot down upon the spot." But the evil still continued to grow; and, on the 23d of June, General Schofield ordered further: "The rebels and rebel sympathizers in Missouri will be held responsible in their property, and if need be, in their persons, for the damages that may hereafter be committed by the lawless bands which they have brought into existence, subsisted, encouraged, and sustained up to the present time. These lawless bands could not exist in Missouri a single week but for the aid of influential and wealthy sympathizers, many of whom have taken the oath of allegiance to the United States—only to violate its spirit, while they observe its form—so far as to escape punishment. If these people will not aid in putting down the demon they have raised among us they must pay the damages. . . The sum of $5000 for every

Schofield, Order, May 29, 1862. W. R. Vol. XIII., p. 402.

soldier or Union citizen killed; from $1000 to $5000 for every one wounded; and the full value of all property destroyed or stolen by guerrillas, will be assessed and collected from the class of persons described above and residing in the vicinity of the place where the act is committed."

Schofield, Orders, June 23, 1862. W. R. Vol. XIII., p. 446.

Notwithstanding all the vigilance the general could exercise, disorders and signs of danger from guerrillas increased to such a degree that, about a month later (July 22, 1862), an order was issued by authority of Governor Gamble to enroll and organize the entire militia of the State, so that any portion of it might be ready to be called into active service in threatened localities. This organization, exclusively under State laws, became known by the general term of Enrolled Missouri Militia. Two separate corps of militia were thus called into existence in Missouri, the distinction between which it is necessary to bear in mind. The Missouri State Militia was that organized under the agreement of the Governor and the President, and which was armed, clothed, and subsisted by the United States and kept in continuous service, to the number, as we have seen, of about 13,000 men. The other was the Enrolled Militia, exclusively the creature of State laws and State orders and at the State's expense. Of these more than 50,000 were enrolled, of which number 30,000 were armed, two-thirds of them during the same month the order was issued. In the organization and employment of this latter body, while it rendered much good service at different times and places, several chronic and irremediable difficulties were found. The State Treasury was empty, and it was

Schofield to Halleck, July 23, 1862. W. R. Vol. XIII., p. 506.

Schofield, Report, from April to November 1862. W. R. Vol. XIII., p. 12.

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well-nigh impossible to collect taxes; hence assessments on the disloyal, and substitute money from those unwilling to serve, were resorted to, for its expenses. The law permitted exemption for a year on the payment of thirty dollars, of which the better class of citizens naturally availed themselves. The more constant trouble was found to be the impossibility of excluding secessionists and secession sympathizers, or other unworthy and mischievous members, and it soon fell under a general suspicion and accusation of partial disloyalty which, though unjust to the corps as a whole, was nevertheless too well grounded in relation to occasional individuals. The accusation was further strengthened by a curious blunder. The Governor and General Schofield, among other precautions, ordered an enrollment or registration of those who had aided or encouraged the rebellion, intending thereby to render them more easy to be watched and controlled; and certain careless officials made the mistake of actually incorporating a number of these registered disloyal persons in the Enrolled Militia — an error which was of course corrected when it came to the Governor's knowledge,[1] but which appears to have existed long enough to cause

Schofield to Lincoln, Oct. 20, 1863. W. R. Vol. XXII., Part II., p. 667.

Schofield, Orders, Aug. 4, 1862. W. R. Vol. XIII., p. 534.

[1] "The orders heretofore issued for the enrollment of the Militia of this State did not contemplate the enrolling of disloyal persons and their organization into companies indiscriminately with loyal citizens. It was specially required that all disloyal men should be enrolled as such, but their organization into companies was strictly forbidden. Some enrolling officers, however, allowed disloyal organizations to be perfected, either through neglect or disobedience of orders, and others are still in progress of organization. . .

"All officers are strictly enjoined to see that no further organizations of this kind are made, and will report to their immediate commanders any which may be in progress of organization."— Governor, General Orders, Feb. 19, 1863. W. R. Vol. XXII., Part II., p. 119.

many good Union men seriously to question the Governor's motives. CH. XVIII.

At first it was proposed to use this Enrolled Militia by keeping the whole under mere paper organization and calling into temporary active service only such portion of it as was in the locality where an emergency might require. It was found, however, after sufficient experiment, that under these conditions organization was too loose and discipline too lax to produce proper efficiency. The expedient was therefore adopted, later on, of detailing from the whole body of Enrolled Militia ten provisional regiments whose members were chosen for their special fitness and loyalty, and these ten regiments were placed under General Schofield's orders, kept on continuous duty, and rendered efficient service.[1] From this time onward there is in the local history of Missouri such a confusion and contradiction of assertion and accusation concerning the motives and acts of both individuals and parties, such a blending of war and politics, of public service and private revenge, as frequently make it impossible to arrive at established facts or reach intelligent conclusions.

But the chief agency in fomenting strife and producing crime, was the persistent policy of Confederate commanders in prompting unlawful guerrilla warfare. The Missourians whom General Price had collected into his army of invasion in the summer and fall of the previous year, who were

1 These ten provisional regiments were furnished by the United States with necessary supplies, though they still had to look to the State government for their pay.

CH. XVIII. driven out of the State by Curtis during the winter, and beaten and dispersed at the battle of March, 1862. Pea Ridge, returned in great numbers to their homes and took the oath of amnesty to shield themselves from punishment for past offenses. However good their intentions may have been, many of them were once more lured from their pledges when Hindman's emissaries came among them in the spring, with new commissions, and pretended Confederate authority unknown to recognized laws of war. Secret rendezvous were agreed upon and secret plans concerted, and a general guerrilla rising was already imminent when the Governor's order of enrollment caused the whole movement to blaze into sudden activity. "The desperate and sanguinary guerrilla war," says Schofield's report, "which for nearly two months raged almost without cessation, may be said to have begun about July 20, 1862, by the assembling of small bands under Porter, Poindexter, and Cobb, who immediately commenced to rob and drive out the loyal people." He estimated that their followers amounted in the aggregate to about five thousand men, their operations being mainly in Northeastern Missouri. His reliance to quell the rising was upon the State Militia, already partly drilled, and the Enrolled Militia, just called out. Considering the difficulties of the task, it was accomplished with reasonable promptness. "Porter's band," continues Schofield's report, "was immediately pursued by our cavalry, almost without intermission, for twelve days, during which time he was driven a distance of nearly five hundred miles and forced to fight our troops nine sharp engage-

Schofield, Report, W. R., Vol. XIII., p. 12.

ments." This band seems to have been finally destroyed at the battle of Kirksville, on August 6, with a loss to the rebels of 180 killed, about 500 wounded, and a large number taken prisoners or scattered. The coöperating band under Poindexter was next followed, its attempted junction with Porter foiled, and in a few days entirely scattered and its leader captured. Almost simultaneously a rising having the same characteristics occurred near the Western Missouri line, where the enemy for a few days had some temporary successes. They captured the town of Independence and, by a skillful concentration of their bands, defeated the Union detachments sent against them in an encounter at Lone Jack. The gathering guerrillas were shaping their campaign to repeat the capture of Lexington on the Missouri River. The movement, however, failed to effect this coveted result. General Blunt, commanding the Kansas troops across the border, was called into Missouri, and the converging Union columns drove the guerrillas out of the southwest corner of the State into Arkansas. Though no great campaign was made, and though no great battle took place, it was nevertheless a service full of toil and danger. General Schofield reports that, "From the 1st of April to the 20th of September our troops met the enemy in more than one hundred engagements, great and small, in which our numbers varied from forty or fifty to 1000 or 1200, and those of the enemy from a few men to 4000 or 5000."

CH. XVIII. 1862.

Aug. 11, 1862.

Aug. 16, 1862.

Schofield, Report, W. R. Vol. XIII., p. 14.

The dispersion and suppression of the guerrilla bands did not serve wholly to terminate local disturbances and offenses. The restraints of a

CH. XVIII. common public opinion no longer existed. Neighborhood good-will had become changed to neighborhood hatred and feud. Men took advantage of the license of war to settle personal grudges by all the violations of law, varying from petty theft to assassination; and parallel with this thirst for private revenge was the cupidity which turned crime into a source of private gain. It was alleged that horses stolen by secession guerrillas passed into the hands of doubtful Unionists, and through the connivance of military officers were sent to St. Louis and sold to the Government. Constant trouble arose also out of questions about slaves; those of rebel masters in the Confederate service were free by the confiscation acts of Congress, but the difficulty of discrimination under conditions where the administration of civil law was practically suspended may readily be imagined. Military administration is complicated, even under favorable circumstances, and in a case like this, where at least two, and sometimes three, different organizations,—the State Militia, the Enrolled Militia, and the Federal Volunteers,—were acting concurrently, questions of jurisdiction created inextricable confusion in right and responsibility. As a rule, serious local quarrels in any part of the country, whether of personal politics or civil or military administration, very soon made their way to President Lincoln for settlement, and Governor Gamble's Missouri Militia added its contribution of annoyance to his general burden.

1862. Towards the middle of September rumors came from Arkansas that a new commander — Major-General T. H. Holmes — had been assigned to the

rebel force in that department, and that the Governors of Arkansas, Louisiana, and Texas had held a conference and agreed upon a plan of concentration which should once more unite as strong a Confederate army as their combined efforts might assemble in an active campaign to invade Missouri. Such a plan did not seem impracticable. The Union army under Curtis had found no large body of the enemy to dispute its march; but that march, for prudential reasons, had been changed from an advance against Little Rock to a descent along the White River eastward towards the Mississippi. This was good strategy so long as Vicksburg was the objective, but as soon as Halleck abandoned all thoughts of an expedition against that place, the army of Curtis necessarily fell into a merely defensive attitude. CH. XVIII.

A rearrangement of military command appears in an order of the President under date of September 19, 1862, directing that Missouri, Arkansas, Kansas, and the bordering Indian Territory should constitute a new department to be called the Department of the Missouri, to be commanded by Major-General Samuel R. Curtis. Halleck, explaining the order to Schofield, writes at some length to exculpate himself from any inference of error or negligence by one of his periodical bursts of indignation at "politicians": "General Curtis, as the ranking officer," he says, "is given the command. This was the only way of cutting the knot. . . I was very much in hopes that some of the generals out there would gain some brilliant victory, so as to cut off these pretensions of outsiders, but unfortunately nothing of the kind has occurred, and the cry is,

Townsend, Orders, Sept. 19, 1862. W. R. Vol. XIII., p. 653.

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Halleck to Schofield, Sept. 20, 1862. W. R. Vol. XIII., p. 654.

Why keep in men who accomplish nothing? The only answer I can give is, Why put in men who know nothing of military affairs? Under these circumstances I have been obliged to leave things as much as possible *in statu quo*." This new arrangement served to change the relative positions of Schofield and Curtis. The former, gathering what troops he could, took the field in a campaign towards Southwest Missouri to meet the expected invasion from Arkansas, while the latter, recalled from a short leave of absence, came to St. Louis (September 24, 1862) to take up his headquarters and assume the general administration of the new Department of the Missouri.

Curtis, Orders, Sept. 24, 1862. W. R. Vol. XIII., p. 666.

In truth the difficulties in the military situation had grown primarily out of the error of Halleck heretofore pointed out in postponing the opening of the Mississippi River. When, in the spring and summer of 1862, Halleck abandoned all thought of pursuing that prime and comprehensive object, and left Vicksburg to grow up into an almost impregnable Confederate citadel, he blighted the possibility of successful Union campaigns on both sides of the great river. That barrier stood as much in the way of a southward march through Arkansas as a southward march through Alabama or Mississippi. From the midsummer of 1862, therefore, until the fall of Vicksburg in midsummer of 1863, military campaigning in the trans-Mississippi country ceases to have any general significance. It resolves itself into the ordinary incidents of a contest between small Union posts of observation and the unceasing efforts of guerrilla leaders to create local uprisings and raids. For the Union troops and officers it

was a most laborious and dangerous service, bring- CH. XVIII.
ing them nothing but vexation and discouragement and breeding only intrigue and jealousy among themselves; keeping them constantly hampered and thwarted in their wishes, and offering them no opportunities for advance, for success, for distinction. The fact pointed out by Halleck, that no general had gained a brilliant victory, was due not so much to want of merit or courage as to the restraints which closed every avenue that might lead to a decisive contest.

The campaign against Vicksburg, so sadly neglected in the spring, was resumed in the winter of 1862; but by this time it had become the work of a great army and required the genius of a great general. To aid in collecting this army, Missouri was drained of troops, and the task of repressing guerrillas fell largely upon local Union sentiment, which in the main found its organization and effective strength in the Enrolled Militia. The only action of importance which marks the military administration of Curtis was the battle of Prairie Grove in the northwest corner of Arkansas, where on the 7th of December the detachments respec- 1862.
tively commanded by the Union generals James G. Blunt (who had been hovering all summer along the border of Kansas) and Francis J. Herron, who, finding Blunt pressed by the enemy coming northward with a view of entering Missouri, advanced by forced marches from near Springfield and formed a junction with Blunt just in the nick of time to defeat the Confederates under General Hindman. The losses on each side were about equal, and on the day following the engagement

CH. XVIII. 1862. the Confederates retreated southward across the protecting barrier of the Boston Mountains. It was in a diminished degree a repetition of the battle of Pea Ridge, fought in the preceding March within twenty or thirty miles of the same place. In the main it served rather to keep both sides within their respective military limits, preventing the invasion of Missouri by the rebel leaders in Arkansas, and reciprocally restraining an advance of the Union leaders into Arkansas for the purpose of seizing Little Rock — a movement constantly planned and desired by them, and yet in the nature of things inexpedient, if not impracticable, until Vicksburg should fall. While general history, therefore, can take little note of the endless skirmishes and raids in Missouri which fill up the military record, the conduct of local military administration comes prominently into the foreground, not so much because of its intrinsic importance as through its indivisible relation to local politics, and through local politics to the great national questions of slavery and emancipation. The slavery question was indeed present as an ineradicable element of war almost everywhere, but in the State of Missouri, from the autumn of 1862, it not only supplemented, but in a certain degree even supplanted, the war itself.

W. R. Vol. XXII., Part I., p. 788. Curtis's earlier reports, made about two months after assuming command, are in a hopeful tone. With the approach of winter the guerrilla troubles were diminishing; a quiet election had been held, the first since the attempted secession of Missouri, and adequate preparations existed to meet the threatened Arkansas invasion which, as already

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stated, was repelled by the battle of Prairie Grove. So effectually did this engagement serve to scatter the rebel forces that Schofield reported January 31, 1863, "There is no considerable force of the enemy north of the Arkansas River; indeed I believe they have all gone or are going, as rapidly as possible, to Vicksburg. Ten thousand infantry and artillery can be spared from Southern Missouri and Northern Arkansas." Nevertheless, the Administration at Washington was not free from trouble about Missouri, and as was so constantly happening, the intervention of President Lincoln was sought to compose the questions of difference in which other officials could not or would not come to an agreement. One of the matters at issue is briefly and pertinently stated in his letter of the 29th of November, 1862, to Attorney-General Bates.

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W. R. Vol. XXII., Part II., p. 88.

Few things perplex me more than this question between Governor Gamble and the War Department, as to whether the peculiar force organized by the former in Missouri are State troops or United States troops. Now, this is either an immaterial or a mischievous question. First, if no more is desired than to have it settled what name the force is to be called by, it is immaterial. Secondly, if it is desired for more than the fixing a name, it can only be to get a position from which to draw practical inferences; then it is mischievous. Instead of settling one dispute by deciding the question, I should merely furnish a nestful of eggs for hatching new disputes. I believe the force is not strictly either "State troops" or "United States troops." It is of mixed character; I therefore think it is safer, when a practical question arises, to decide that question directly, and not indirectly, by deciding a general abstraction supposed to include it, and also including a great deal more. Without dispute, Governor Gamble appoints the officers of this force, and fills vacancies when they occur. The question now prac-

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tically in dispute is: Can Governor Gamble make a vacancy by removing an officer or accepting a resignation? Now, while it is proper that this question shall be settled, I do not perceive why either Governor Gamble, or the Government here, should care which way it is settled. I am perplexed with it only because there seems to be pertinacity about it. It seems to me that it might be either way without injury to the service; or that the offer of the Secretary of War to let Governor Gamble make vacancies, and he, the Secretary, to ratify the making of them, ought to be satisfactory.

Lincoln to Bates, Nov. 29, 1862. MS.

Just a month later, the President by a similar letter to Governor Gamble, and an official order, finally disposed of the quarrel as here indicated. Meanwhile, as rapidly as he could amid other pressing duties, Mr. Lincoln was grappling with another chronic Missouri difficulty. One of the most efficient means of controlling secession sympathizers of wealth and influence, was a system of military assessments designed to prevent their giving assistance to guerrillas, as well as to compel them to bear their proper part of the burdens of war. Grievous complaints, however, arose that this authority was being abused; and the President felt that it was wise to remove as rapidly as possible all unnecessary burdens and temptations to oppression. Among the earliest directions to General Curtis was a request to suspend the order of military assessments (of August 28, 1862), levying half a million of dollars on "secessionists and Southern sympathizers" of St. Louis County, to be "used in arming, clothing, and subsisting the Enrolled Militia when in active service, and in providing for those families of militiamen and volunteers which might be left destitute." He asked him at the same

Schofield, Report, W. R. Vol. XIII., p. 12.

time to make out and send him a statement of facts pertinent to the question, with his opinion upon it. A few weeks later the President gave still more explicit directions to bring about a solution of this and other pending questions. On the 5th of January, 1863, he wrote to General Curtis as follows:

Lincoln to Curtis, Dec. 10, 1862. MS.

1863.

I am having a good deal of trouble with Missouri matters, and I now sit down to write you particularly about it. One class of friends believe in greater severity and another in greater leniency in regard to arrests, banishments, and assessments. As usual in such cases, each questions the other's motives. On the one hand, it is insisted that Governor Gamble's Unionism, at most, is not better than a secondary spring of action; that Hunkerism and a wish for political influence stand before Unionism with him. On the other hand, it is urged that arrests, banishments, and assessments are made more for private malice, revenge, and pecuniary interest than for the public good. This morning I was told by a gentleman, who, I have no doubt, believes what he says, that in one case of assessments for $10,000, the different persons who paid compared receipts, and found they had paid $30,000. If this be true, the inference is that the collecting agents pocketed the odd twenty thousand dollars. And true or not in the instance, nothing but the sternest necessity can justify the making and maintaining of a system so liable to such abuses. Doubtless, the necessity for the making of the system in Missouri did exist; and whether it continues for the maintenance of it, is now a practical and very important question. Some days ago Governor Gamble telegraphed me, asking that the assessments outside of St. Louis County might be suspended, as they already have been within it; and this morning all the Members of Congress here from Missouri but one, lay a paper before me asking the same thing. Now, my belief is that Governor Gamble is an honest and true man, not less so than yourself; that you and he could confer together on this, and other Missouri questions, with great advantage to the public; that each

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(Copy sent to Governor Gamble.) Lincoln to Curtis, Jan. 5, 1863. W. R. Vol. XXII., Part II., pp. 17, 18.

knows something which the other does not, and that acting together, you could about double your stock of pertinent information. May I not hope that you and he will attempt this? I could at once safely do (or you could safely do without me) whatever you and he agree upon. There is absolutely no reason why you should not agree. . .

General Curtis held the interview with Governor Gamble as the President suggested, and his answer needs to be quoted in part to show the Governor's general policy and feeling as well as his own.

1863.

In my interview with Governor Gamble, and in reference to persons charging him with selfish and ambitious motives, and doubts as to his fidelity, the Governor expressed his regrets, and evinced generous sentiments of loyalty. He said, what is true, there is too much disposition now to impeach everybody. I think with you that Governor Gamble is loyal, and I do not see any occasion for us to differ, except it may be as to some measures. But even upon these I do not think difficulty will arise between us. He goes for you and our country and some of your measures. I go for all. In regard to county assessments, he withdrew his Enrolled Militia publicly. I am checking them quietly. Our Union men are much opposed to restraint in their pursuit of rebels, especially in the country where our friends have been persecuted, and where the assessments inure to the benefit of the widows and orphans of men killed by the rebels. There may be frauds, such as you name, but I doubt it. I should have had news of it. No assessment committee could commit such a fraud as you name with impunity. The calculation, I presume, is based on the supposition that men are assessed on the value of their property, whereas the assessments are made on a compound ratio of property and disloyalty. The assessments on persons for crimes committed in a neighborhood are considered a great restraint on rebels who have encouraged bands of rebels, and our friends fear that they will suffer if such restraints are taken off. I am implored not to remove them. I have earnest petitions and letters innumerable coming in,

urging me to allow assessments to proceed. The county assessments are all made by local commanders, who claim that they understand their local difficulties better than I can. I therefore move cautiously and quietly, so as to avoid any new inspiration of rebel courage. On matters concerning the degree and direction of force against rebels, I am appealed to as the supposed head of military power in this vicinity. On complaints of too much severity, the Governor and Your Excellency are appealed to, and we do not, therefore, either of us, always see both sides. As to banishments, the Governor goes further than I do on that subject, although we might differ as to particular cases. Most of the banishments have been made as a commutation for imprisonments determined by military commissions or local commanders, and in all instances where the community seems to think it safe, I try to procure a release.

Curtis to Lincoln, Jan. 15, 1863. W. R. Vol. XXII., Part II., pp. 42, 43.

In immediate connection with the question of military assessments, it is necessary to quote the general's explanation of the system of military provost-marshals, as one of the agencies of military government and administration in Missouri:

1863.

The provost-marshal system is not of my planting or growth, but is now so old, deep-rooted, and widespread it cannot be summarily disposed of without danger of losses and disasters. It began in General Frémont's administration. . . General Halleck had given the system a head by creating a provost-marshal-general, and issued some orders devolving specific duties on these functionaries, and, by a kind of common understanding, provost-marshals took charge of prisoners, watched contraband trade, discovered and arrested spies, found out rebel camps, and pursued and arrested the rebels in their neighborhoods. They operate with volunteers, militia, and police force, just as circumstances require, and in Southern Iowa and large districts of Missouri, where recruiting guerrilla agents strive to organize their bands, they are the only stationary, permanent official sentinels, who keep me advised and guard the public safety. Public arms, prisoners,

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> contraband property, and forfeited bonds are held by them and properly disposed of, and immediate discharge would create loss and confusion where everything is now quiet and secure. . . I regret that I am thus forced to defend a system I never did approve and have often condemned. I could not find either statute or military law to rest it upon. I have not appointed one, except to fill the vacancy of the provost-marshal-general; but the system has started and grown up from surrounding necessities; it is now working very extensively and quite harmoniously, and I believe it must in some shape be continued during the war. When a nation is at war, war exists everywhere, and we must have some sort of military representatives wherever military offenses can be committed. It costs too much to keep stationary troops everywhere, but without such officers as I may trust and constantly employ in every county of this State and in various parts of my department, I must have many more troops in actual service in Missouri.

Curtis to Stanton, Jan. 15, 1863. W. R. Vol. XXII., Part II., pp. 44, 45.

Notwithstanding the very fair show of argument made by Curtis, the President followed his more liberal inclination already indicated in his letter of January 5, which, indeed, was with him a constant motive of action. On the 20th of January he made, through the Secretary of War, a general order to suspend until further instructions all action upon assessments for damages, not merely in St. Louis, but in the whole State of Missouri, and the system was not thereafter revived.

Stanton, Order, Jan. 20, 1863. W. R. Vol. XXII., Part II., p. 64.

While with the progress of the war local military questions were finding either a practical or official solution, and were, on the whole, diminishing in magnitude, a growing subject of irritation and discord presented itself in the question of emancipation. Brought into sudden activity by Frémont's proclamation of August 30, 1861, it had since then remained a permanent issue. Not only the Presi-

dent's revocation of that military decree but the later order, No. 3, of General Halleck, had been vigorously opposed and denounced by the more impatient and extreme antislavery sentiment of Missouri, for which the German population of the State formed a nucleus, important in numbers and influential in intelligence and zeal. With President Lincoln's proposition of compensated abolishment, made to Congress in March, 1862, the whole subject assumed a new prominence; though as yet the weight of public opinion in the State at large was apparently averse to the proposition.

In the State Convention of Missouri, which met June 2, the subject was taken up and a bill was introduced by Mr. Breckinridge providing that all negroes born in slavery in the State after January 1, 1865, should be slaves until they arrived at twenty-five years of age, and no longer, unless sooner permanently removed from the State; and providing also for accepting the offer of Congress, recommended by the President, of compensation to the State and through it to the owners; and for a vote of the people of Missouri to accept or reject the ordinance. It was hardly to be expected that the members of a Convention elected at the beginning of the rebellion would be ready to act affirmatively on a matter not only proposing so radical a change, but one still involved in such angry controversy, and especially at the moment of a threatened guerrilla outbreak. The bill was summarily laid upon the table by a vote of 52 to 19.

June 6, 1862.

"Convention Proceedings," June, 1862, p. 72.

"Convention Proceedings," p. 84.

It seems to have occurred to the Conservatives, before final adjournment, that the course of the majority had been a little abrupt. Six days after

CH. XVIII. this action, Governor Gamble sent the Convention a special message referring to the joint resolution of Congress, offering aid to States, as a proposition of unexampled liberality, calling for a polite response; and suggesting that the action of the Convention might be represented as rudely discourteous to the President and Congress, and would, without doubt, be so misrepresented as to excite a hostile feeling to the State among all those in authority who favored emancipation, and thus injuriously affect the interests of the State; and he suggested a response that the people, in choosing the Convention, never intended or imagined that body would act on such a question. Accordingly, on

1862. June 14, a resolution was adopted (37 to 23), "That while a majority of this Convention have not felt authorized to take action with respect to the grave and delicate questions of private right and public policy presented by said resolution, yet this body desires to recognize the liberality displayed by the Government of the United States, and to express its profound appreciation thereof."

"Convention Proceedings," June, 1862, pp. 233, 252.

While the members of the Convention were thus veiling their dread of the dangerous topic in safe official phraseology, a popular undercurrent was manifesting a substantial and practical interest in it, wrought by the irresistible logic of daily events. On the 16th of June there came together at Jefferson City a mass convention of the more progressive politicians of Missouri, numbering about 175 delegates, from some eighteen counties. While the representation was small as to geographical area, it was important in personal and party influence. The primary object of the gathering was to organize for

the fall election; and, seizing upon this question as the most available and pertinent issue, they adopted resolutions bringing the matter of compensated emancipation before the people; favoring gradual emancipation, to be so initiated as not to injure pecuniarily any loyal citizen or occasion violent disruption of social relations; adding that the General Government, by offer of aid, had relieved Missouri of all constitutional and financial embarrassment, and that the next General Assembly of the State should take measures to avail itself of the offered aid. Still the new idea was one confronted by such seeming obstacles in the traditions, habits, and material interests of the people, that for the time it gained adherents slowly. When, on the 12th of July, President Lincoln once more urged upon the Representatives of the border slave States in Washington his plan of compensated abolishment, most of the Missouri Congressmen refused to entertain the project: Senator Robert Wilson and Representatives James S. Rollins, William A. Hall, and Thomas L. Price, Unionists, and Representative John S. Phelps, Democrat, in their reply to the President, pronounced themselves decidedly against "the proposition in its present impalpable form"; while Senator John B. Henderson, Unionist, and Representative John W. Noell, Democrat, promised to recommend it to the fair consideration of their constituents.

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Before further important action occurred, President Lincoln's preliminary emancipation proclamation of September 22, 1862, carried the question forward to a point of advancement not looked for by either advocates or opponents of the measure in

CH. XVIII. 1862. that State. From that time onward the issue was paramount in Missouri as elsewhere; not alone by the President's action of September 22, but yet more influentially by his promised action of January 1, 1863. It was these military decrees of Mr. Lincoln which lifted the emancipation party in Missouri into a prominence and power for which it would vainly have labored without them. Thus reënforced that party at the general election of November 4, 1862, gained a decided majority in both branches of the Legislature. Of the nine Congressmen elected, six were avowed emancipationists, while a month later the emancipation candidate for Speaker of the lower House was chosen by 67 against 42. In his annual message to the Legislature, Governor Gamble declared his preference for a system of free over slave labor, and recommended a modified plan of gradual emancipation; though he thought that the Legislature lacked constitutional power covering the full details of the scheme.

"Annual Cyclopædia," 1862, p. 595.

These manifestations of Missouri sentiment also served to set in motion another agency which had no inconsiderable effect in advancing still further the great drift of political change the State was undergoing; and we shall better understand it by recurring for a moment to President Lincoln's policy of compensated abolishment. His special message of March 6, 1862, recommending pecuniary aid to such States as would voluntarily emancipate their slaves, had been indorsed by the joint resolution which Congress passed on March 11 and April 2, 1862. Further practical legislation was also proposed. A joint resolution was introduced in the

Senate (March 10) to grant aid to the States of Maryland and Delaware, this being probably upon a suggestion by Mr. Lincoln that such a movement could be more easily begun in the smaller slave States. In the House of Representatives the subject was taken up by Mr. White of Indiana, at whose instance a select committee on emancipation, consisting of nine members, a majority of whom were from border slave States, was appointed on the 14th of April,[1] and this committee on the 16th of July reported a comprehensive bill authorizing the President to give compensation at the rate of three hundred dollars for each slave to any one of the States of Delaware, Maryland, Virginia, Kentucky, Tennessee, and Missouri that might adopt immediate or gradual emancipation. But as no popular response came from any of these States, and particularly as their delegations in Congress, in their interviews with the President, either opposed the scheme or only entertained it to the extent of a willingness to consult their constituents, neither House of Congress at that session took further action.

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When Congress met on the first day of December, 1862, such of the Missouri delegates as in the previous July were only willing to signify a hopeful promise, now felt themselves justified by the popular November vote to take up and advocate with energy the

1862.

[1] "On the 14th of April, the Speaker announced as the select committee on the subject of gradual emancipation in the slave-holding States: Messrs. Albert S. White of Indiana, Francis P. Blair of Missouri, George P. Fisher of Delaware, William E. Lehman of Pennsylvania, C. L. L. Leary of Maryland, K. V. Whaley of Virginia, James F. Wilson of Iowa, Samuel L. Casey of Kentucky, and Andrew J. Clements of Tennessee."—Henry Wilson, "Antislavery Measures in Congress," p. 226.

CH. XVIII. 1862.

President's scheme. Accordingly Senator Henderson, on December 10, and Representative Noell, on December 11, gave notice of bills to aid the State of Missouri in compensated emancipation. It would appear, however, that these gentlemen acted without agreement, for the bill of the former named $20,000,000 as the sum to be appropriated, and that of the latter only $10,000,000. The House bill naming $10,000,000 was passed on January 6, 1863, by a vote of 73 to 46, and sent to the Senate, where it superseded the Senate bill. The discussion of it was principally about the amount proper to be paid, Mr. Henderson still pleading eloquently for his original proposition of $20,000,000. The President's interest in this Congressional legislation is sufficiently manifested by the following telegram, which he sent to General Curtis at St. Louis about this time: "I understand there is considerable trouble with the slaves in Missouri. Please do your best to keep peace on the question for two or three weeks, by which time we hope to do something here towards settling the question in Missouri." A compromise was reached when, on February 7, an amendment was proposed in the Senate fixing the amount at $15,000,000, and in this form it passed that body on February 12, 1863, yeas 23, nays 18. When this came back to the House its select committee on emancipation could not report the new measure until February 25. By this time the session was nearly at an end. Three of the Missouri Representatives, William A. Hall, Elijah H. Norton, and Thomas L. Price, strongly pro-slavery, and two of whom had failed of reëlection in the recent popular change, still stubbornly opposed emancipation

Lincoln to Curtis, Jan. 10, 1863. W. R. Vol. XXII., Part II., p. 30.

in general and the pending measure in particular. Their opposition, aided by Vallandigham and the dilatory parliamentary tactics of the Democratic minority, served to prevent its reaching a vote. It remained among the unfinished business of the session, and in the swiftly moving current of national affairs no chance of its adoption ever returned. CH. XVIII.

Meanwhile the subject was also debated in the Missouri Legislature, where, however, no decided action of any kind was reached. This was perhaps largely due to the fact that it was complicated by a personal contest over the election of United States Senators pending in that body. As with everything else in Missouri, the President's intervention was also invoked in this contest. On January 7, Mr. B. Gratz Brown, a leader of the Radicals, telegraphed him: "Does the Administration desire my defeat; if not, why are its appointees here working for that end?" Mr. Lincoln, unmoved by the impertinence of the inquiry, answered quietly: "Yours of to-day just received. The Administration takes no part between its friends in Missouri, of whom I, at least, consider you one, and I have never before had an intimation that appointees there were interfering, or were inclined to interfere." But the embitterment had already become such that the Legislature adjourned its session without effecting an election. Again, on the 16th of April, we find the President answering one of the complaining Radicals, who were determined to hold him responsible for all their local discord: "In answer to the within question, 'Shall we be sustained by you?' I have to answer that at the beginning of the Administration I appointed one whom I understood to be an

Brown to Lincoln, Jan. 7, 1863. MS.

Lincoln to Brown, Jan. 7, 1863. W. R. Vol. XXII., Part II., p. 23.

CH. XVIII. editor of the 'Democrat' to be postmaster at St. Louis—the best office in my gift within Missouri. Soon after this, our friends at St. Louis must needs break into factions, the 'Democrat' being, in my opinion, justly chargeable with a full share of the blame for it. I have stoutly tried to keep out of the quarrel, and so mean to do."

Lincoln to Woodruff, April 16, 1863. MS.

A month previous the President had already sought a remedy for the Missouri quarrel in a change of the military commander. On the 10th of March an order was issued relieving General Curtis and appointing General E. V. Sumner to command in his place. This might have proved an acceptable substitution, for Sumner's well-known antislavery feelings would have secured him the confidence of the Radicals, while his prudent firmness of character might have kept him free from charge of partisanship, but the transfer was frustrated by his sudden death, which occurred on the 21st of the same month, at Syracuse, New York, on his way to St. Louis to enter upon this important command.

Secretary of War, Orders, March 10, 1863. W. R. Vol. XXII., Part II., p. 152.

March, 1863.

CHAPTER XIX

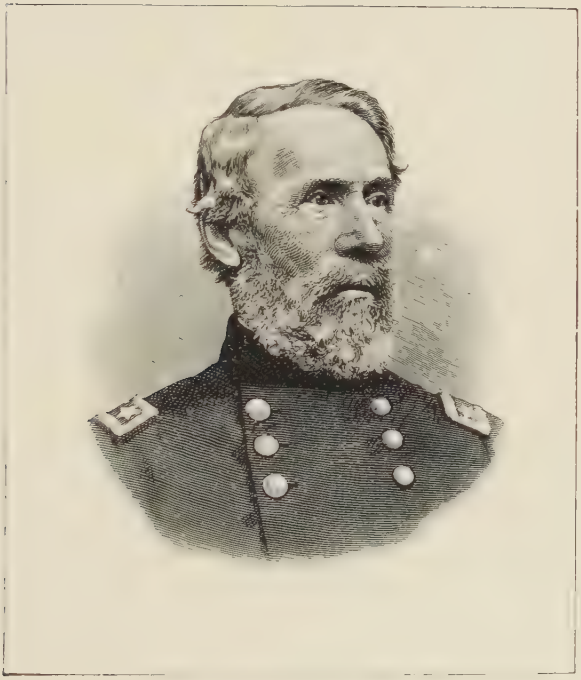
THE EDICT OF FREEDOM

IN his preliminary proclamation of September 22, President Lincoln had announced his intention to urge once more upon Congress the policy of compensated abolishment. Accordingly, his annual message of December 1, 1862, was in great part devoted to a discussion of this question. "Without slavery," he premised, "the rebellion could never have existed; without slavery it could not continue." His argument presented anew, with broad prophetic forecast, the folly of disunion, the brilliant destiny of the republic as a single nation, the safety of building with wise statesmanship upon its coming population and wealth. He stated that by the law of increase shown in the census tables, the country might expect to number over two hundred millions of people in less than a century. "And we will reach this, too," he continued, "if we do not ourselves relinquish the chance, by the folly and evils of disunion, or by long and exhausting war springing from the only great element of national discord among us. While it cannot be foreseen exactly how much one huge example of secession, breeding lesser ones indefinitely, would retard population, civilization,

CHAP. XIX. and prosperity, no one can doubt that the extent of it would be very great and injurious. The proposed emancipation would shorten the war, perpetuate peace, insure this increase of population and, proportionately, the wealth of the country. With these we should pay all the emancipation would cost, together with our other debt, easier than we should pay our other debt without it."

1862. He therefore recommended that Congress should propose to the Legislatures of the several States a constitutional amendment, consisting of three articles, namely: one providing compensation in bonds for every State which should abolish slavery before the year 1900; another securing freedom to all slaves who during the rebellion had enjoyed actual freedom by the chances of war — also providing compensation to loyal owners; the third authorizing Congress to provide for colonization. The message continued:

> The plan consisting of these articles is recommended, not but that a restoration of the national authority would be accepted without its adoption. Nor will the war, nor proceedings under the proclamation of September 22, 1862, be stayed because of the recommendation of this plan. Its timely adoption, I doubt not, would bring restoration, and thereby stay both. And, notwithstanding this plan, the recommendation that Congress provide by law for compensating any State which may adopt emancipation before this plan shall have been acted upon is hereby earnestly renewed. Such would be only an advance part of the plan, and the same arguments apply to both. This plan is recommended as a means, not in exclusion of, but additional to, all others for restoring and preserving the national authority throughout the Union. . . The plan is proposed as permanent constitutional law. It cannot become such without the concurrence of, first, two-thirds of Congress, and, afterwards,



GENERAL E. V. SUMNER.

three-fourths of the States. The requisite three-fourths of the States will necessarily include seven of the slave States. Their concurrence, if obtained, will give assurance of their severally adopting emancipation at no very distant day upon the new constitutional terms. This assurance would end the struggle now and save the Union forever. . . We can succeed only by concert. It is not, "Can any of us imagine better?" but, "Can we all do better?" Object whatsoever is possible, still the question recurs, "Can we do better?" The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew. We must disenthral ourselves, and then we shall save our country.

Fellow-citizens, we cannot escape history. We, of this Congress, and this Administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the latest generation. We say we are for the Union. The world will not forget that we say this. We know how to save the Union. The world knows we do know how to save it. We — even we here — hold the power, and bear the responsibility. In giving freedom to the slave, we assure freedom to the free — honorable alike in what we give and what we preserve. We shall nobly save, or meanly lose, the last, best hope of earth. Other means may succeed, this could not fail. The way is plain, peaceful, generous, just — a way which, if followed, the world will forever applaud, and God must forever bless.

Lincoln, Annual Message, Dec. 1, 1862.

No immediate action followed this patriotic appeal. No indications of reviving unionism were manifested in the distinctively rebel States. No popular expression of a willingness to abandon slavery and accept compensation came from the loyal border slave States, except, perhaps, in a qualified way from Missouri, where the emancipation

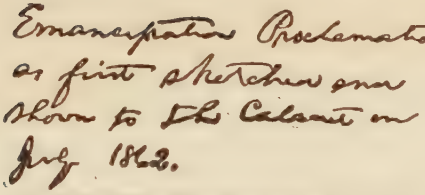
FACSIMILE (FROM THE ORIGINAL MS. IN POSSESSION OF THE AUTHORS) OF THE FIRST DRAFT OF THE EMANCIPATION PROCLAMATION, SHOWN TO THE CABINET IN JULY, 1862.

In pursuance of the sixth section of the act of Congress entitled "An act to suppress insurrection and to punish treason and rebellion, to seize and confiscate property of rebels, and for other purposes" Approved July 17. 1862, and which act, and the joint Resolution explanatory thereof, are hereunto published, I. Abraham Lincoln, President of the United States, do hereby proclaim to, and warn all persons within the contemplation of said sixth section to cease participating in, aiding, countenancing, or abetting the existing rebellion, or any rebellion against the government of the United States, and to return to their proper allegiance to the United States, on pain of the

forfeitures and seizures, as within and by said sixth section provided.

And I hereby make known that it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure for tendering pecuniary aid to the free choice or rejection, of any and all States which may then be recognizing and practically sustaining the authority of the United States, and which may then have voluntarily adopted, or thereafter may voluntarily adopt, gradual ~~adoption~~ abolishment of slavery within such State or States — that the object is to practically restore, thenceforward to be maintained, the constitutional relation between the general government, and each, and all the States, wherein that relation

is now suspended, or disturbed; and that,
for this object, the war, as it has been, will
be, prosecuted. And, as a fit and necessa-
ry Military measure for effecting this object,
I, as Commander-in-Chief of the Army and
Navy of the United States, do order and de-
clare that on the first day of January, in the
year of our Lord one thousand, eight hundred
and sixty-three, all persons held as slaves with-
in any State or states, wherein the constitution-
al authority of the United States shall not
then be practically recognized, submitted to,
and maintained, shall then, thenceforward, and
forever, be free.



INDORSEMENT ON THE PRECEDING DOCUMENT.

sentiment was steadily progressing, though with somewhat convulsive action, owing to the quarrel which divided the Unionists of that State. Thus the month of December wore away, and the day approached when it became necessary for the President to execute the announcement of emancipation made in his preliminary proclamation of September 22. That he was ready at the appointed time is shown by an entry in the diary of Secretary Welles: "At the meeting to-day [December 30, 1862], the President read the draft of his Emancipation Proclamation, invited criticism, and finally directed that copies should be furnished to each. It is a good and well prepared paper, but I suggested that a part of the sentence marked in pencil be omitted. Chase advised that fractional parts of States ought not to be exempted. In this I think he is right, and so stated. Practically there would be difficulty in freeing parts of States and not freeing others — a clashing between central and local authorities." Welles, Diary. MS.

CHAP. XIX. 1862.

It will be remembered that when the President proposed emancipation on the 22d of July, and again when he announced emancipation on the 22d of September, he informed his Cabinet that he had decided the main matter for himself and that he asked their advice only upon subordinate points. In now taking up the subject for the third and final review there was neither doubt nor hesitation in regard to the central policy and act about to be

1862.

PRELIMINARY PROCLAMATION OF SEPTEMBER 22, 1862.
(FROM THE ORIGINAL IN THE STATE LIBRARY IN ALBANY.)

By the President of the
United States of America
A Proclamation

I Abraham Lincoln, President of the United States of America, and Commander-in-Chief of the Army and Navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States, and each of the states, and the people thereof, in which states that relation is, or may be suspended, or disturbed.

That it is my purpose, upon the next meeting of Congress to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave-states, so called, the people whereof may not then be in rebellion against the United States, and which state, may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent with their consent upon this continent, or elsewhere, will be continued.

That on the first day of January in the year of
our Lord, one thousand eight hundred and sixty-
three, all persons held as slaves within any
state, or designated part of a state, the people
whereof shall then be in rebellion against the
United States shall be then, thenceforward,
and forever free; and the executive govern-
ment of the United States, including the military and naval authority thereof
will, ~~during the con-~~
~~tinuance in office of the persons now elected~~, re-
cognize and maintain the freedom of
such persons, ~~and will not~~, and will
do no act or acts to repress such persons, or any

of them, in any efforts they may make for their actual freedom.

That the executive will, on the first day of January aforesaid, by proclamation, designate the States, and parts of states, if any, in which the people thereof respectively, shall then be in rebellion against the United States; and the fact that any state, or the people thereof shall, on that day be, in good faith represented in the Congress of the United States, by members chosen thereto at elections wherein a majority of the

And I do hereby enjoin upon and orders all persons engaged in the military and naval service of the United States to observe, obey, and enforce, within their respective spheres of service, the act, and sections above recited.

And the executive will, in due time ~~at the next session of Congress~~ recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion, shall (upon the restoration of the Constitutional relation between the United States, and their respective states, and people, if that relation shall have been suspended or disturbed) be

compensation for all losses by acts of the United States including the loss of slaves.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

L. S.

Done at the City of Washington, this twenty second day of September, in the year of our Lord, one thousand, eight hundred and sixty two, and of the Independence of the United States, the eighty seventh.

Abraham Lincoln.

By the President
William H. Seward,
Secretary of State

INDORSEMENT.

WASHINGTON, JANUARY 4, 1864. MY DEAR MRS. BARNES: I have the pleasure of sending you, with the President's permission, the original draft of his September proclamation. The body of it is in his own handwriting, the penciled additions in the hand of the Secretary of State, and the final beginning and ending in the hand of the chief clerk.

Yours very sincerely,

MRS. EMILY W. BARNES, ALBANY, N. Y.

F. W. SEWARD.

CHAP. XIX. consummated. But there were several important minor questions upon which, as before, he wished the advice of his Cabinet, and it was to present these in concise form for discussion that he wrote his draft and furnished each of them a copy on the
1862. 30th of December, as Mr. Welles relates. This draft, omitting its mere routine phraseology and quotations from the former proclamation, continued as follows:

> Now therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested, as Commander-in-Chief of the Army and Navy of the United States in time of actual armed rebellion against the authority and Government of the United States, and as a proper and necessary war measure for suppressing said rebellion, do on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my intention so to do, publicly proclaimed for one hundred days as aforesaid, order and designate as the States and parts of States in which the people thereof respectively are this day in rebellion against the United States the following, to wit: Arkansas, Texas, Louisiana, except the Parishes of
>
> Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, except the forty-eight counties designated as West Virginia, and also the counties of
>
> And by virtue of the power, and for the purpose aforesaid, I do order, and declare, that all persons held as slaves within said designated States, and parts of States, are, and henceforward forever shall be free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons, and will do no act, or acts, to repress said persons, or any of them, in any suitable efforts they may make for their actual freedom. And I hereby appeal to the people so declared to be free to abstain from all disorder, tumult, and violence,

unless in necessary self-defense; and in all cases, when allowed, to labor faithfully for wages. CHAP. XIX.

And I further declare, and make known, that such persons of suitable condition will be received into the armed service of the United States to garrison and defend forts, positions, stations, and other places, and to man vessels of all sorts in said service. MS.

It will be seen that this draft presented for discussion, in addition to mere verbal criticism, the question of defining the fractional portions of Virginia and Louisiana under Federal control and the yet more important policy, now for the first time announced by the President, of his intention to incorporate a portion of the newly liberated slaves into the armies of the Union. Mr. Welles's diary for Wednesday, December 31, 1862, thus continues: "We had an early and special Cabinet meeting—convened at 10 A. M. The subject was the proclamation of to-morrow to emancipate the slaves in the rebel States. Seward proposed two amendments. One included mine, and one enjoining upon, instead of appealing to, those emancipated to forbear from tumult. Blair had, like Seward and myself, proposed the omission of a part of a sentence and made other suggestions which I thought improvements. Chase made some good criticisms and proposed a felicitous closing sentence. The President took the suggestions, written in order, and said he would complete the document." Welles, Diary. MS.

From the manuscript letters and memoranda we glean more fully the modifications of the amendments proposed by the several members of the Cabinet. The changes suggested in Mr. Seward's note were all verbal, and were three in number. *First:* Following the declaration that "the Exec-

CHAP. XIX.

utive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons," he proposed to omit the further words which had been used in the September proclamation, "and will do no act, or acts, to repress said persons, or any of them, in any suitable efforts they may make for their actual freedom." Mr. Welles had suggested the same change. *Second:* The next sentence, which read, "And I hereby appeal to the people so declared to be free to abstain from all disorder," etc., Mr. Seward proposed should read, "And I hereby command and require the people so declared to be free to abstain from all disorder," etc. *Third:* The phrase, "and in all cases, when allowed, to labor faithfully for wages," he proposed should read, "and I do recommend to them in all cases, when allowed, to labor faithfully for just and reasonable wages."

Seward to Lincoln, Dec. 30, 1862. MS.

The criticisms submitted by Mr. Chase were quite long and full, and since they suggested the most distinctive divergence from the President's plan, namely, that of making no exceptions of fractional portions of States, except the forty-eight counties of West Virginia, his letter needs to be quoted in full:

> In accordance with your verbal direction of yesterday I most respectfully submit the following observations in respect to the draft of a proclamation designating the States and parts of States within which the proclamation of September 22, 1862, is to take effect according to the terms thereof.
>
> I. It seems to me wisest to make no exception of parts of States from the operation of the proclamation save the forty-eight counties designated as West Virginia. My reasons are these:

EDWARD BATES.

1. Such exceptions will impair, in public estimation, the moral effect of the proclamation, and invite censure which it would be well, if possible, to avoid.

2. Such exceptions must necessarily be confined to some few parishes and counties in Louisiana and Virginia, and can have no practically useful effect. Through the operation of various acts of Congress the slaves of disloyal masters in those parts are already enfranchised, and the slaves of loyal masters are practically so. Some of the latter have already commenced paying wages to their laborers, formerly slaves; and it is to be feared that if, by these exceptions, slavery is practically reëstablished in favor of some masters, while abolished by laws and by the necessary effect of military occupation as to others, very serious inconveniences may arise.

3. No intimation of exceptions of this kind is given in the September proclamation, nor does it appear that any intimations otherwise given have been taken into account by those who have participated in recent elections, or that any exceptions of their particular localities are desired by them.

II. I think it would be expedient to omit from the proposed proclamation the declaration that the Executive Government of the United States will do no act to repress the enfranchised in any efforts they may make for their actual freedom. This clause in the September proclamation has been widely quoted as an incitement to servile insurrection. In lieu of it, and for the purpose of shaming these misrepresentations, I think it would be well to insert some such clause as this: "not encouraging or countenancing, however, any disorderly or licentious conduct." If this alteration is made, the appeal to the enslaved may, properly enough, be omitted. It does not appear to be necessary, and may furnish a topic to the evil-disposed for censure and ridicule.

III. I think it absolutely certain that the rebellion can in no way be so certainly, speedily, and economically suppressed as by the organized military force of the loyal population of the insurgent regions, of whatever complexion. In no way can irregular violence and servile insurrection be so surely prevented as by the regular organization and regular military employment of those

CHAP. XIX.

who might otherwise probably resort to such courses. Such organization is now in successful progress, and the concurrent testimony of all connected with the colored regiments in Louisiana and South Carolina is that they are brave, orderly, and efficient. General Butler declares that without his colored regiments he could not have attempted his recent important movements in the Lafourche region; and General Saxton bears equally explicit testimony to the good conduct and efficiency of the colored troops recently sent on an expedition along the coast of Georgia. Considering these facts, it seems to me that it would be best to omit from the proclamation all reference to the military employment of the enfranchised population, leaving it to the natural course of things already well begun; or to state distinctly that, in order to secure the suppression of the rebellion without servile insurrection or licentious marauding, such numbers of the population declared free as may be found convenient will be employed in the military and naval service of the United States.

Finally, I respectfully suggest, that on an occasion of such interest, there can be no just imputation of affectation against a solemn recognition of responsibility before men and before God; and that some such close as follows will be proper:

"And upon this act, sincerely believed to be an act of justice warranted by the Constitution, and of duty demanded by the circumstances of the country, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God."

Chase to Lincoln, Dec. 31, 1862. MS.

It is not remembered whether Mr. Stanton, Secretary of War, was present at the Cabinet meeting, but he appears to have left no written memorandum of his suggestions, if he offered any. Stanton was preëminently a man of action, and the probability is that he agreed to the President's draft without amendment. The Cabinet also lacked one member of being complete. Caleb B. Smith, Secretary of the Interior, had lately been transferred to the vacant bench of the United States District Court of

Indiana, and his successor, John P. Usher, was not appointed until about a week after the date of which we write. CHAP. XIX.

The memorandum of Mr. Blair, Postmaster-General, proposed a condensation of several of the paragraphs in the President's draft, as follows: "I do order and declare that all persons held as slaves within said designated States and parts of States shall be free; and that the Executive Government of the United States, including the military and naval authorities, will recognize and maintain the freedom of said persons. And, in order that they may render all the aid they are willing to give to this object and to the support of the Government, authority will be given to receive them into the service whenever they can be usefully employed, and they may be armed to garrison forts, to defend positions and stations, and to man vessels. And I appeal to them to show themselves worthy of freedom by fidelity and diligence in the employments which may be given to them, by the observance of order, and by abstaining from all violence not required by duty or for self-defense. It is due to them to say that the conduct of large numbers of these people since the war began justifies confidence in their fidelity and humanity generally." Dec., 1862. Blair, Memorandum. MS.

The memorandum of Attorney-General Bates is also quite full, and combats the recommendation of Secretary Chase concerning fractions of States.

I respectfully suggest that: 1. The President issues the proclamation "by virtue of the power in him vested as Commander-in-Chief of the army and navy of the United States in time of actual armed rebellion," etc., "and as a proper and necessary war measure for sup-

CHAP. XIX. Dec., 1862.

pressing said rebellion."— Date, January, 1863. 2. It is done in accordance with the first proclamation of September 22, 1862. 3. It distinguishes between States and parts of States, and designates those States and parts of States "in which the people thereof, respectively, are this day (January 1, 1863) in rebellion against the United States."

These three propositions being true, I think they ought to be followed out, without excess or diminution, by action, not by the declaration of a principle nor the establishment of a law for the future guidance of others. It is a war measure by the President, — a matter of fact, — not a law by the Legislature. And as to what is proposed to be done in the future the least said the better. Better leave yourself free to act in the emergencies as they arise, with as few embarrassing committals as possible. Whether a particular State or part of a State is or is not in actual rebellion on the 1st of January, 1863, is a simple matter of fact which the President in the first proclamation has promised to declare in the record. Of course it must be truly declared. It is no longer open to be determined as a matter of policy or prudence independently of the fact. And this applies with particular force to Virginia. The Eastern Shore of Virginia and the region round about Norfolk are now (December 31, 1862) more free from actual rebellion than are several of the forty-eight counties spoken of as West Virginia. If the latter be exempt from the proclamation, so also ought the former. And so in all the States that are considered in parts. The last paragraph of the draft I consider wholly useless, and probably injurious — being a needless pledge of future action, which may be quite as well done without as with the pledge.

Bates, Memorandum. MS.

In rewriting the proclamation for signature Mr. Lincoln in substance followed the suggestions made by the several members of the Cabinet as to mere verbal improvements; but, in regard to the two important changes which had been proposed, he adhered rigidly to his own draft. He could not consent to the view urged by Secretary Chase, that

to omit the exemption of fractional parts of States would have no practical bearing. In his view this would touch the whole underlying theory and legal validity of his act and change its essential character. The second proposition favored by several members of the Cabinet, to omit any declaration of intention to enlist the freedmen in military service, while it was not so vital, yet partook of the same general effect as tending to weaken and discredit his main central act of authority.

Mr. Lincoln took the various manuscript notes and memoranda which his Cabinet advisers brought him on the 31st of December, and during that afternoon and the following morning with his own hand carefully rewrote the entire body of the draft of the proclamation. The blanks left to designate fractional parts of States he filled according to latest official advices of military limits;[1] and in the closing paragraph suggested by Chase he added, after the words "warranted by the Constitution," his own important qualifying correction, "upon military necessity."

It is a custom in the Executive Mansion to hold on New Year's Day an official and public reception, beginning at eleven o'clock in the morning, which keeps the President at his post in the Blue Room until two in the afternoon. The hour for this recep-

[1] The fractional parts of States excepted in the proclamation were as follows: In the State of Louisiana, the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans; in the State of Virginia, the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Anne, and Norfolk, including the cities of Norfolk and Portsmouth.

FACSIMILE OF THE FINAL EMANCIPATION PROCLAMATION OF JANUARY 1, 1863.

By the President of the United States of America:

A Proclamation.

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States."

Now, therefore I. Abraham Lincoln, President of the
United States, by virtue of the power in me vested as
Commander-in-Chief, of the Army and Navy of the
United States in time of actual armed rebellion aga-
inst authority and government of the United States,
and as a fit and necessary war measure for supp-
ressing said rebellion, do, on this first day of Jan-
uary, in the year of our Lord one thousand eight hun-
dred and sixty three, and in accordance with
my purpose so to do, publicly proclaimed for the full period
of one hundred days, from the day first above men
tioned, order and designate

as the States and parts of States wherein the peoples thereof respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana, (except the Parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James Ascension, Assumption, Terrebonne, Lafourche, St. Mary, St. Martin, and Orleans, including the City of New Orleans) Mississippi, Alabama, Florida, Georgia, South-Carolina, North-Carolina, and Virginia, (except the forty-eight counties designated as West Virginia, and also the counties of Berkley, Accomac, Northampton, Elizabeth-City, York, Princess Ann,

and Norfolk, including the cities of Norfolk & Portsmouth; and which excepted parts are, for the present, left precisely as if this proclamation were not issued.

And by virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and hencefoward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known, that such persons of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations and other places, and to man vessels of all sorts in said services.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this first day of January, in the year of our Lord one thousand eight hundred and sixty three, and of the

Independence of the United States of America the eighty-seventh.

Abraham Lincoln

By the President;
William H. Seward,
Secretary of State

tion came before Mr. Lincoln had entirely finished revising the engrossed copy of the proclamation, and he was compelled to hurry away from his office to friendly handshaking and festal greeting with the rapidly arriving official and diplomatic guests. The rigid laws of etiquette held him to this duty for the space of three hours. Had actual necessity required it, he could of course have left such mere social occupation at any moment; but the President saw no occasion for precipitancy. On the other hand, he probably deemed it wise that the completion of this momentous executive act should be attended by every circumstance of deliberation. CHAP. XIX.

Vast as were its consequences, the act itself was only the simplest and briefest formality. It could in no wise be made sensational or dramatic. Those characteristics attached, if at all, only to the long-past decisions and announcements of July 22 and September 22 of the previous year. Those dates had witnessed the mental conflict and the moral victory. No ceremony was made or attempted of this final official signing. The afternoon was well advanced when Mr. Lincoln went back from his New Year's greetings, with his right hand so fatigued that it was an effort to hold the pen. There was no special convocation of the Cabinet or of prominent officials. Those who were in the house came to the executive office merely from the personal impulse of curiosity joined to momentary convenience. His signature was attached to one of the greatest and most beneficent military decrees of history in the presence of less than a dozen persons; after which it was carried to the Department of State to be attested by the 1862.

CHAP. XIX. great seal and deposited among the archives of the Government.

Since several eminent lawyers have publicly questioned the legal validity of Mr. Lincoln's Edict of Freedom,— as his final Emancipation Proclamation may be properly styled,— it is worth while to gather, if possible, Mr. Lincoln's own conception and explanation of the constitutional and legal bearings of his act. There is little difficulty in arriving at this. His language, embodied in a number of letters and documents, contains such a distinct and logical exposition of the whole process of his thought and action, from the somewhat extreme conservatism of his first inaugural to his great edict of January 1, 1863, and the subsequent policy of its practical enforcement, that we need but arrange them in their obvious sequence. The proper beginning is to be found in a letter of April 4, 1864, to A. G. Hodges, of Frankfort, Kentucky. In this he says:

> I am naturally antislavery. If slavery is not wrong, nothing is wrong. I cannot remember when I did not so think and feel, and yet I have never understood that the Presidency conferred upon me an unrestricted right to act officially upon this judgment and feeling. It was in the oath I took that I would, to the best of my ability, preserve, protect, and defend the Constitution of the United States. I could not take the office without taking the oath. Nor was it my view that I might take an oath to get power, and break the oath in using the power. I understood, too, that in ordinary civil administration this oath even forbade me to practically indulge my primary abstract judgment on the moral question of slavery. I had publicly declared this many times, and in many ways. And I aver that, to this day, I have done no official act in mere deference to my abstract judgment and feeling on

slavery. I did understand, however, that my oath to preserve the Constitution to the best of my ability imposed upon me the duty of preserving, by every indispensable means, that Government — that nation, of which that Constitution was the organic law. Was it possible to lose the nation and yet preserve the Constitution? By general law, life and limb must be protected, yet often a limb must be amputated to save a life; but a life is never wisely given to save a limb. I felt that measures otherwise unconstitutional might become lawful by becoming indispensable to the preservation of the Constitution through the preservation of the nation. Right or wrong, I assumed this ground, and now avow it. I could not feel that, to the best of my ability, I had even tried to preserve the Constitution, if, to save slavery or any minor matter, I should permit the wreck of Government, country, and Constitution all together. When, early in the war, General Frémont attempted military emancipation, I forbade it, because I did not then think it an indispensable necessity. When, a little later, General Cameron, then Secretary of War, suggested the arming of the blacks, I objected because I did not yet think it an indispensable necessity. When, still later, General Hunter attempted military emancipation, I again forbade it, because I did not yet think the indispensable necessity had come. When in March and May and July, 1862, I made earnest and successive appeals to the border States to favor compensated emancipation, I believed the indispensable necessity for military emancipation and arming the blacks would come unless averted by that measure. They declined the proposition, and I was, in my best judgment, driven to the alternative of either surrendering the Union, and with it the Constitution, or of laying strong hand upon the colored element. I chose the latter.

Lincoln to Hodges, April 4, 1864.

The question of legal and constitutional validity he discusses briefly, but conclusively, in his letter of August 26, 1863, to James C. Conkling of Springfield, Illinois. In this, addressing himself to his critics, he says: "You say it is unconstitu-

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tional. I think differently. I think the Constitution invests its Commander-in-Chief with the law of war in time of war. The most that can be said, if so much, is, that slaves are property. Is there, has there ever been, any question that, by the law of war, property, both of enemies and friends, may be taken when needed? And is it not needed whenever taking it helps us or hurts the enemy? Armies the world over destroy enemies' property when they cannot use it; and even destroy their own to keep it from the enemy. Civilized belligerents do all in their power to help themselves or hurt the enemy."

Lincoln to Conkling, Aug. 26, 1863.

Admitting the general principle of international law, of the right of a belligerent to appropriate or destroy enemies' property, and applying it to the constitutional domestic war to suppress rebellion which he was then prosecuting, there came next the question of how his military decree of enfranchisement was practically to be applied. This point, though not fully discussed, is sufficiently indicated in several extracts. In the draft of a letter to Charles D. Robinson he wrote, August 17, 1864: "The way these measures were to help the cause was not to be by magic or miracles, but by inducing the colored people to come bodily over from the rebel side to ours." And in his letter to James C. Conkling of August 26, 1863, he says: "But negroes, like other people, act upon motives. Why should they do anything for us if we will do nothing for them? If they stake their lives for us, they must be prompted by the strongest motive, even the promise of freedom. And the promise, being made, must be kept."

Lincoln to Robinson, Aug. 17, 1864. MS.

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The actual tangible military result which he declares was his constitutional and legal warrant for his edict of military emancipation is set forth in the following extracts. Whether we judge it by the narrow technical rules of applied jurisprudence, or by the broader principles of the legal philosophy of Christian nations, it forms equally his complete vindication. In the draft of a letter to Isaac M. Schermerhorn he wrote, September 12, 1864: "Any different policy in regard to the colored man deprives us of his help, and this is more than we can bear. We cannot spare the hundred and forty or fifty thousand now serving us as soldiers, seamen, and laborers. This is not a question of sentiment or taste, but one of physical force, which may be measured and estimated as horse power and steam power are measured and estimated. Keep it, and you can save the Union. Throw it away, and the Union goes with it."

Lincoln to Schermerhorn, Sept. 12, 1864. MS.

And in the one already quoted, to Robinson, August 17, 1864: "Drive back to the support of the rebellion the physical force which the colored people now give and promise us, and neither the present nor any coming Administration can save the Union. Take from us and give to the enemy the hundred and thirty, forty, or fifty thousand colored persons now serving us as soldiers, seamen, and laborers and we cannot longer maintain the contest."

So also in an interview with John T. Mills he said: "But no human power can subdue this rebellion without the use of the emancipation policy and every other policy calculated to weaken the moral and physical forces of the rebellion. Free-

CHAP. XIX. dom has given us 200,000 men, raised on Southern soil. It will give us more yet. Just so much it has subtracted from the enemy. . . Let my enemies prove to the country that the destruction of slavery is not necessary to a restoration of the Union; I will abide the issue."

We might stop here and assume that President Lincoln's argument is complete. But he was by nature so singularly frank and conscientious, and by mental constitution so unavoidably logical, that he could not, if he had desired, do things or even seem to do them by indirection or subterfuge. This, the most weighty of his responsibilities and the most difficult of his trials, he could not permit to rest upon doubt or misconstruction. In addition to what we have already quoted he has left us a naked and final restatement of the main question, with the unequivocal answer of his motive and conviction. It has been shown above how Mr. Chase, in the discussions of the final phraseology of the January proclamation, urged him to omit his former exemptions of certain fractional parts of insurrectionary States. Despite the President's adverse decision, Mr. Chase continued from time to time to urge this measure during the year 1863. To these requests the President finally replied as follows on the 2d of September:

> Knowing your great anxiety that the Emancipation Proclamation shall now be applied to certain parts of Virginia and Louisiana which were exempted from it last January, I state briefly what appear to me to be difficulties in the way of such a step. The original proclamation has no constitutional or legal justification, except as a military measure. The exemptions were made because the military necessity did not apply to the exempted

localities. Nor does that necessity apply to them now any more than it did then. If I take the step must I not do so without the argument of military necessity, and so without any argument except the one that I think the measure politically expedient and morally right? Would I not thus give up all footing upon Constitution or law? Would I not thus be in the boundless field of absolutism? Could this pass unnoticed or unresisted? Could it fail to be perceived, that without any further stretch I might do the same in Delaware, Maryland, Kentucky, Tennessee, and Missouri, and even change any law in any State?

Lincoln to Chase, Sept. 2, 1863. MS.

In these extracts we have the President's outline explanation of the legal validity of the proclamation. Like all his reasoning, it is simple and strong, resting its authority on the war powers of the Government and its justification upon military necessity. As to the minor subtleties of interpretation or comment which it might provoke from lawyers or judges after the war should be ended, we may infer that he had his opinions, but that they did not enter into his motives of action. On subsequent occasions, while continuing to declare his belief that the proclamation was valid in law, he nevertheless frankly admitted that what the courts might ultimately decide was beyond his knowledge as well as beyond his control.

For the moment he was dealing with two mighty forces of national destiny, civil war and public opinion; forces which paid little heed to theories of public, constitutional, or international law where they contravened their will and power. In fact it was the impotence of legislative machinery, and the insufficiency of legal dicta to govern or terminate the conflicts of public opinion on this identical question of slavery, which brought on civil strife.

CHAP. XIX. In the South slavery had taken up arms to assert its nationality and perpetuity; in the North freedom had risen first in mere defensive resistance; then the varying fortunes of war had rendered the combat implacable and mortal. It was not from the moldering volumes of ancient precedents, but from the issues of the present wager of battle, that future judges of courts would draw their doctrines to interpret to posterity whether the Edict of Freedom was void or valid.

When, in the preceding June, the crisis of the McClellan campaign had come upon the President, he had written his well-considered resolve: "I expect to maintain this contest until successful, or till I die, or am conquered, or my term expires, or Congress or the country forsakes me." Grand as was the historical act of signing his decree of liberation, it was but an incident in the grander contest he was commissioned and resolved to maintain. That was an issue, not alone of the bondage of a race, but of the life of a nation, a principle of government, a question of primary human right.

Was this act, this step, this incident in the contest, wise or unwise? Would it bring success or failure? Would it fill the army, weaken the enemy, inspirit the country, unite public opinion? These, we may assume, and not a lawyer's criticisms of phrase or text, dictum or precedent, were the queries which filled his mind when he wrote his name at the bottom of the famous document. If the rebellion should triumph, establishing a government founded on slavery as its corner-stone, manifestly his proclamation would be but waste paper, though every court in Christendom outside the

Confederate States should assert its official author- CHAP. XIX.
ity. If, on the other hand, the Union arms were victorious, every step of that victory would become clothed with the mantle of law. But if, in addition, it should turn out that the Union arms had been rendered victorious through the help of the negro soldiers, called to the field by the promise of freedom contained in the proclamation, then the decree and its promise might rest secure in the certainty of legal execution and fulfillment. To restore the Union by the help of black soldiers under pledge of liberty, and then for the Union, under whatever legal doctrine or construction, to attempt to reën-slave them, would be a wrong at which morality would revolt. "You cannot," said Mr. Lincoln in one of his early speeches, "repeal human nature."

The problem of statesmanship therefore was not one of theory, but of practice. Fame is due Mr. Lincoln, not alone because he decreed emancipation, but because events so shaped themselves under his guidance as to render the conception practical and the decree successful. Among the agencies he employed none proved more admirable or more powerful than this two-edged sword of the final proclamation, blending sentiment with force, leaguing liberty with Union, filling the voting armies at home and the fighting armies in the field. In the light of history we can see that by this edict Mr. Lincoln gave slavery its vital thrust, its mortal wound. It was the word of decision, the judgment without appeal, the sentence of doom.

But for the execution of the sentence, for the accomplishment of this result, he had yet many weary months to hope and to wait. Of its slow

CHAP. XIX. and tantalizing fruition, of the gradual dawning of that full day of promise, we cannot get a better description than that given in his own words in his annual message to Congress, nearly a year after the proclamation was signed:

> When Congress assembled a year ago the war had already lasted nearly twenty months, and there had been many conflicts on both land and sea, with varying results. The rebellion had been pressed back into reduced limits; yet the tone of public feeling and opinion, at home and abroad, was not satisfactory. With other signs, the popular elections, then just past, indicated uneasiness among ourselves; while, amid much that was cold and menacing, the kindest words coming from Europe were uttered in accents of pity that we were too blind to surrender a hopeless cause.[1] Our commerce was suffering greatly by a few armed vessels built upon and furnished from foreign shores, and we were threatened with such additions from the same quarter as would sweep our trade from the sea and raise our blockade. We had failed to elicit from European governments anything hopeful upon this subject. The preliminary emancipation proclamation, issued in September, was running its assigned period to the beginning of the new year. A month later, the final proclamation came, including the announcement that colored men of suitable condition would be received into the war service. The policy of emancipation and of employing black soldiers gave to the future a new aspect, about which hope and fear and doubt contended in uncertain conflict. According to our political system, as a matter of civil administration, the General Government had no lawful power to effect emancipation in any State, and for a long time it had been hoped that the rebellion could be suppressed without resorting to it as a

[1] British unfriendliness, and incredulity especially, were only intensified by the President's Edict of Freedom. On the 15th of January, 1863, the London "Times" called the final Emancipation Proclamation the "execrable expedient of a servile insurrection"; and again on the 19th of March the "Times" said: "The attempt of the North to restore the Union is as hopeless as would be the attempt here to restore the Heptarchy."

military measure. It was all the while deemed possible that the necessity for it might come, and that if it should the crisis of the contest would then be presented. It came, and, as was anticipated, it was followed by dark and doubtful days. Eleven months having now passed, we are permitted to take another review. The rebel borders are pressed still further back, and by the complete opening of the Mississippi the country dominated by the rebellion is divided into distinct parts, with no practical communication between them. Tennessee and Arkansas have been substantially cleared of insurgent control, and influential citizens in each, owners of slaves and advocates of slavery at the beginning of the rebellion, now declare openly for emancipation in their respective States. Of those States not included in the Emancipation Proclamation, Maryland and Missouri, neither of which three years ago would tolerate any restraint upon the extension of slavery into new Territories, only dispute now as to the best mode of removing it within their own limits.

Of those who were slaves at the beginning of the rebellion, full one hundred thousand are now in the United States military service, about one-half of which number actually bear arms in the ranks; thus giving the double advantage of taking so much labor from the insurgent cause and supplying the places which otherwise must be filled with so many white men. So far as tested it is difficult to say they are not as good soldiers as any. No servile insurrection or tendency to violence or cruelty has marked the measures of emancipation and arming the blacks. These measures have been much discussed in foreign countries, and contemporary with such discussion the tone of public sentiment there is much improved. At home the same measures have been fully discussed, supported, criticized, and denounced, and the annual elections following are highly encouraging to those whose official duty it is to bear the country through this great trial. Thus we have the new reckoning. The crisis which threatened to divide the friends of the Union is past.

Lincoln, Annual Message, Dec. 8, 1863.

CHAPTER XX

NEGRO SOLDIERS

CHAP. XX. IN resorting to the policy of general military emancipation, President Lincoln did not mean to rely upon its merely sentimental effect. From the time when the necessities of war forced upon
1862. him the adoption of that policy it was coupled with the expectation of making it bring to the help of the Union armies a powerful contingent of negro soldiers. We find from several entries in the diary of Secretary Chase that this course was foreshadowed at the Cabinet meetings following that of July 22, 1862, when he submitted the first draft of his emancipation proclamation. While the time had not yet, in his judgment, arrived for a general arming of the blacks, he nevertheless indicated an intention to organize and use a military force of negroes for a specific object. The dispositions made and orders given by General Halleck concerning the Western armies prior to his transfer to Washington, left no provision for the work of opening the Mississippi River; but the President had this enterprise so much at heart that he asked General O. M. Mitchel (July 25, 1862) "with what force he could take Vicksburg and clear the river, and with the black population on its banks hold it

open below Memphis." Mitchel replied that with his own division and Curtis's army, then in Arkansas, he thought he could do it. The plan would doubtless have been adopted had not General Halleck decided that Mitchel's division could not be spared from Buell's army, and that Curtis's army must remain in Arkansas to keep the trans-Mississippi Confederates out of Missouri.

Warden, "Life of S. P. Chase," pp. 441–447.

Lincoln's reliance on the black population to contribute a compact and effective military force, thus distinctly indicated contemporaneously with his decision to give freedom to slaves in rebel States by military decree, was not thereafter abandoned. Though he felt constrained to postpone a systematic organization of negro troops for active campaigns, he nevertheless expressed his willingness "that commanders should, at their discretion, arm, for purely defensive purposes, slaves coming within their lines"; and on August 25, 1862, the Secretary of War formally authorized General Saxton, in command at Port Royal, to arm, uniform, equip, and drill not exceeding 5000 volunteers of African descent to guard and protect the plantations and settlements at Port Royal and elsewhere.

Ibid., p. 441.

Stanton to Saxton, Aug. 25, 1862. W. R. Vol. XIV., p. 377.

This authority was given in pursuance of the very guarded provisions which Congress had recently embodied in the Confiscation Act and in an act amending the Force Bill of 1795, both of which laws had been approved by the President on July 17, 1862, the last day of the session. Section 11 of the former empowered the President "to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize

CHAP. XX. and use them in such manner as he may judge best for the public welfare." Section 12 of the latter was a trifle more specific; but the gingerly manner in which the topic was approached, and the careful choice of words to say one thing and mean another, give abundant evidence of the extreme sensitiveness of opinion on the subject, in Congress as well as out of it. The section provided: "That the President be and he is hereby authorized to receive into the service of the United States, for the purpose of constructing intrenchments, or performing camp service, or any other labor or any military or naval service for which they may be found competent, persons of African descent, and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe." Further significance was given to the language by a clause, in Section 15 of the same act, which read that "persons of African descent, who under this law shall be employed, shall receive ten dollars per month and one ration, three dollars of which monthly pay may be in clothing."

The subject is not mentioned in the preliminary proclamation of September 22, 1862, but the final emancipation proclamation of January 1, 1863, contains the full announcement of the new military policy: "And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts, in said service."

Tentative experiments with negro soldiers had, indeed, been made during the year 1862, but with-

out producing any considerable results. General David Hunter was the pioneer in these experiments. Almost immediately after his arrival at the Department of the South he asked the Secretary of War for 50,000 muskets and "authority to arm such loyal men as I can find in the country," and with an eye to the seductive effects of a brilliant uniform, he added a request for "50,000 pairs of scarlet pantaloons," saying, "This is all the clothing I shall require for these people." This somewhat extravagant requisition was not the only bit of humor which grew out of the incident. Some time afterwards, at the instance of a pro-slavery Member of Congress from Kentucky, the House of Representatives passed a resolution asking information about the alleged organizing and arming of fugitive slaves. The Secretary of War referred the resolution to the general, who replied, in a letter of great apparent gravity, that there were no fugitive slaves in his department, but that he had a fine regiment of loyal persons whose late masters were fugitive rebels, "whom we have only partially been able to see — chiefly their heads over ramparts, or, rifle in hand, dodging behind trees in the extreme distance. In the absence of any 'fugitive master law' the deserted slaves would be wholly without remedy had not the crime of treason given them the right to pursue, capture, and bring back those persons of whose protection they have been thus suddenly bereft." The Secretary of War, with the same gravity, sent the reply to the House of Representatives, where it was read amid roars of laughter, to the great discomfiture of the mover of the resolution

Hunter to Stanton, April 3, 1862. W. R. Vol. VI., p. 264.

1862.

"Globe," July 2, 1862, p. 3087.

CHAP. XX. of inquiry; and served, more than months of discussion would have done, to hasten the already swiftly moving change of public sentiment. Gen-
1862. eral Hunter's experiment, however, was a greater parliamentary than military success. There was still too much prejudice in the army itself, and particularly among army officers, against such an innovation. The blacks did not come forward freely to enlist, and when the general undertook to compel them by drafting, it confirmed in their minds the stories which had been told them that it was a renewed slavery; that they were to be sold to Cuba; that they were to be placed in the front rank of battle for slaughter, and many other direful predictions. Under such conditions, though the regiment was formed, it was beset by desertion, by neglect, by contempt, and also by the fatal difficulty that under existing regulations the paymaster could not recognize it. From all these causes it languished, and was, with the exception of one company, formally disbanded about three months afterwards.

T. W. Higginson, "Army Life in a Black Regiment," pp. 272–274.

The whole history of this first experiment but repeats the constant lesson, that statesmen, generals, and reformers must always and unavoidably reckon with public opinion when they undertake to change either for worse or for better the complex machinery of modern society and government. The failure of Hunter's regiment was only temporary; it furnished the germ of later success. One company, under command of Sergeant C. T. Trowbridge as acting captain, held together in spite of all discouragement and neglect, and when General Saxton received the already mentioned orders of the Sec-

retary of War, dated August 25, 1862, to organize five thousand volunteers of African descent, it became the first company of the First South Carolina Volunteers, a regiment the formation of which was begun on the 7th of November. T. W. Higginson, of Massachusetts, was appointed its colonel, and took command about the 1st of December. Even then recruiting was slow. The regiment numbered five hundred when Colonel Higginson took command, and six weeks or more elapsed before it was completed.

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Higginson, "Army Life in a Black Regiment," p. 276.

1862.

We find a repetition of these identical difficulties of surmounting the prejudices and obstacles of public opinion at the other territorial extremity of the country. On the 6th of August, Senator and General J. H. Lane, of Kansas, telegraphed to the Secretary of War from Fort Leavenworth in that State: "I am receiving negroes under the late act of Congress. Is there any objection? Answer by telegraph. Soon have an army." There is no record of the Secretary's answer; the probability is he made none, but, remembering that the inquiry came from a region of Border Ruffian memories and methods, left Lane to his own devices and responsibilities. Slaves of rebel masters became free under the confiscation laws, and this was a numerous class in Western Missouri. But besides receiving those who had a right to enlist, if we credit frequent complaints, Lane and Lane's men also sometimes resorted to forcible recruiting among the slaves of the loyal. No definite or coherent record remains whereby truth may be gleaned from error amid very vague and conflicting statements. We know also that General Curtis, the

1862.

Lane to Stanton, Aug. 6, 1862.

CHAP. XX. Department commander, was not disposed to throw obstacles in Lane's way; thus he wrote on September 29, 1862: "Lane's movements are often much exaggerated, and for that reason the rebels are very much afraid of him. So far as they are concerned, a reign of terror is the proper check to them, and it would be well to make them understand they will have no sympathy at your hands. If he will pitch in at Cowskin Prairie he will not be likely to go amiss. I am told it is not much better about Independence. We have got to fight the devil with fire. We are not likely to use one negro where the rebels have used a thousand." Yet under all these favoring conditions the "First Kansas Colored" was not organized as a regiment until January 13, 1863, about six months after Lane began receiving colored recruits. The time required shows us the resistance of a fixed prejudice which had to be overcome at every point.

Curtis to Loan, Sept. 29, 1862. W. R. Vol. XIII., p. 688. Higginson, "Army Life in a Black Regiment," p. 277.

The third and most successful of the several preliminary experiments with colored soldiers was made by General Butler while at New Orleans in command of the Department of the Gulf. He had scarcely taken command of the city, when "contrabands" from among the redundant slave population began to crowd upon every military office, station, and camp, to bring information and offer service, and in return to receive protection and food. So far as possible he endeavored to make them useful, but he soon found the problem outgrowing his means. After some three weeks of experience, on May 25, 1862, he formally asked the instructions of the Government. In the course of his letter he wrote: "The military necessity does not exist here

for the employment of negroes in arms, in order that we may have an acclimated force. If the War Department desires, and will permit, I can have five thousand able-bodied white citizens enlisted within sixty days, all of whom have lived here many years, and many of them drilled soldiers, to be commanded by intelligent loyal officers. Besides, I hope and believe that this war will be ended before any body of negroes could be organized, armed, and drilled so as to be efficient." In due time the general, under date of June 14, received authority to raise five thousand white volunteers, but his questions about negroes were left unanswered because the President, though studying the slavery question more thoroughly and anxiously than any of his officers, was not yet ready to announce a general policy.

Butler to Stanton, May 25, 1862. W. R. Vol. XV., p. 441.

See Stanton to Butler, June 29, 1862. W. R. Vol. XV., p. 516.

Brigadier-General J. W. Phelps, whom Butler had placed in command at Carrollton, seven miles above New Orleans, was dealing with the same problem in the light of his conscientious and active abolition feelings. He had given fugitive slaves every encouragement and protection possible under his military orders, and on June 16 he wrote a long letter to Butler's adjutant-general recommending that the President should declare the military abolition of slavery, and suggesting that "through the instrumentality of military service . . . our slaves might be raised in the scale of civilization and prepared for freedom. Fifty regiments might be raised among them at once which could be employed in this climate to preserve order," etc. Butler referred the communication without discussion to the Secretary of War, with the explanation that "Gen-

Phelps to R. S. Davis, June 16, 1862. W. R. Vol. XV., p. 489.

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eral Phelps, I believe, intends making this a test case for the policy of the Government," and adding for himself, "I respect his honest sincerity of opinion, but I am a soldier, bound to carry out the wishes of my Government so long as I hold its commission, and I understand that policy to be the one I am pursuing." The President's cautious answer was transmitted by the Secretary of War on the 3d of July. "He is of opinion," wrote Mr. Stanton, "that under the laws of Congress they cannot be sent back to their masters; that in common humanity they must not be permitted to suffer for want of food, shelter, or other necessaries of life; that to this end they should be provided for by the quartermaster's and commissary's departments, and that those who are capable of labor should be set to work and paid reasonable wages. In directing this to be done, the President does not mean, at present, to settle any general rule in respect to slaves or slavery, but simply to provide for the particular case under the circumstances in which it is now presented."

Butler to Stanton, June 18, 1862. W. R. Vol. XV., p. 486.

Stanton to Butler, July 3, 1862. Senate Doc's, 37th Cong., 2d Sess. Ex. Doc. No. 67.

Meanwhile, on July 30, Phelps forced the question anew on General Butler by making requisitions "for arms, accouterments, clothing, camp and garrison equipage, etc., for three regiments of Africans which I propose to raise for the defense of this point." Butler reported this request to the War Department with the further information that Phelps, without his knowledge or orders, had organized five companies of negroes, and on the same day (August 2) replied to Phelps, "I do not think you are empowered to organize into companies negroes and drill them as a military organization.

Phelps to R. S. Davis, July 30, 1862. W. R. Vol. XV., p. 534.

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. . . I cannot sanction this course of action as at present advised." He had already suggested to Phelps to employ his five companies of Africans upon necessary work (the removal of woods about his intrenchments), a kind of labor in which a recent act of Congress had specially authorized the employment of negroes. Phelps, however, deeming it his mission to reform the Government rather than render military service, forwarded the general his resignation with the unwarranted and offensive comment: "While I am willing to prepare African regiments for the defense of the Government against its assailants, I am not willing to become the mere slave-driver which you propose, having no qualifications in that way." Butler argued the point with him in a temperate and forbearing response, but Phelps persisted in his insubordinate obstinacy, and his resignation was accepted by the War Department.

Butler to Phelps, Aug. 2, 1862. W. R. Vol. XV., p. 536.

Phelps to R. S. Davis, July 31, 1862. W. R. Vol. XV., p. 535.

If the headstrong Vermont brigadier, who was a man of ability and an educated soldier, had possessed the patience and that proper recognition of discipline which his profession enjoined, he would not only have been gratified by the early acceptance of his views, but might have rendered himself useful in promoting and hastening the object he professed to have so deeply at heart. Even before his resignation was accepted, General Butler, who about the middle of August apprehended an attack, had taken the initial steps to bring about the organization and employment of colored troops, for which he found a precedent begun by the rebel Governor Moore, of Louisiana, for rebel uses before the capture of New Orleans

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by the Union army. In his testimony before the Committee on the Conduct of the War, General Butler says: "Upon examining the records I found that Governor Moore of Louisiana had raised a regiment of free colored people, and organized it and officered it; and I found one of his commissions. I sent for a colored man as an officer of that regiment, and got some fifteen or sixteen of the officers together — black and mulatto, light and dark colored — and asked them what they meant by being organized under the rebels. They said they had been ordered out and could not refuse; but that the rebels had never trusted them with arms. They had been drilled in company drill. I asked them if that organization could be resuscitated, provided they were supplied with arms. They said that it could. Very well, I said, then I will resuscitate that regiment of Louisiana Militia. I thereupon issued an order, stating the precedent furnished by Governor Moore, and in a week from that time I had in that regiment a thousand men, reasonably drilled and well disciplined; better disciplined than any other regiment I had there, because the blacks had been always taught to do as they were told. It was composed altogether of free men; made free under some law." Early in September the general reported, "I shall also have within ten days a regiment, one thousand strong, of native guards (colored), the darkest of whom will be about the complexion of the late Mr. Webster."

Butler, Testimony, Report Committee on Conduct of the War.

Butler to Stanton, Sept., 1862. W. R. Vol. XV., p. 559.

This example is also important in illustrating the influence of public opinion on the question. New Orleans had a large foreign population, and many of the native whites had their sentiments and tradi-

tions modified to a great extent by their European origin. The race prejudice of Richmond and Charleston did not exist in New Orleans in its full intensity, and its absence had enabled the rebel Governor of Louisiana to form his regiment of free blacks for rebel service. French and English law did not permit citizens of those countries to hold slaves, a circumstance which furnished both the Governor and General Butler a large proportion of free blacks, and afforded the former the pretext of employing them under military organization to protect the persons and property of their alien masters. "I accordingly enlisted one regiment and part of another from men in that condition," continues General Butler. "We had a great many difficulties about it. But the English consul came very fairly up to the mark, and decided that the negroes claimed as slaves by those who had registered themselves as British subjects were all free. So that I never enlisted a slave. Indeed, it was a general order that no slave should be enlisted."

Butler, Testimony, Report Committee on Conduct of the War.

Another resource for negro recruits grew out of the fact that one of the general's expeditions took military possession of a large district in which were located the heavy sugar plantations of Louisiana, and which contained 15,000 to 20,000 slaves. Under section nine of the Confiscation Act of July 17, 1862, all these slaves became free, and from their number Butler obtained enough additional black recruits to complete a second and third regiment of negro infantry, and also a negro regiment of heavy artillery. Three of these regiments were employed in military duty, one in the city of New

CHAP. XX. Orleans, the other two to guard the Opelousas Railroad west of New Orleans. The remaining regiments he found it necessary to employ in agricultural service. The same spirit that moved planters to burn their cotton induced a combination among them in the district occupied by the Federal army to abstain from the necessary fall layering of sugar cane for the next year's crop; and to this duty, as well as providing for other crops to sustain the slave population, Butler assigned one of his black regiments.

From the result we have summarized it is evident that without President Lincoln's policy and decrees of military emancipation the negro population would have furnished but a scanty addition to the armies fighting to maintain the Union; nor, indeed, did the mere issuing of the final proclamation of January 1, 1863, work any sudden transformation. The full manhood which springs from liberty and individual self-assertion needed still to be aroused and stimulated; and the President lost no time in setting on foot earnest practical efforts to realize the substantial benefits he had contemplated. Accordingly, he wrote to General Dix, commanding at Fort Monroe, on the 14th of January, 1863: "The proclamation has been issued. We were not succeeding — at best were progressing too slowly — without it. Now that we have it, and bear all the disadvantages of it (as we do bear some in certain quarters), we must also take some benefit from it, if practicable. I therefore will thank you for your well-considered opinion whether Fort Monroe and Yorktown, one or both, could not, in whole or in part, be garrisoned by

Lincoln to Dix, Jan. 14, 1863. MS.

colored troops, leaving the white forces now necessary at those places to be employed elsewhere." CHAP. XX.

General Dix had been a Buchanan Democrat until the outbreak of the rebellion, and when we take his political antecedents and prejudices into account his answer was reasonably promising even with its coldness and want of faith. Fort Monroe, he thought, was too important to be intrusted to colored troops; at Yorktown, perhaps, they might be used to the extent of one-half the necessary garrison. But he said: "I doubt very much whether colored troops can be raised here. An officer from Massachusetts, who has taken an interest in the question, interrogated the adult males of the colored population at Camp Hamilton and Newport News, and found only five or six who were willing to take up arms. The general reply was that they were willing to work, but did not wish to fight. I deem it not improper to say further that the feeling towards the North among a considerable portion of the colored refugees is not a cordial one. They understand that we deny them in many of the free States the right of suffrage, and that, even in those where political equality is theoretically established by law, social prejudices practically neutralize it." 1863. Dix to Lincoln, Jan. 15, 1863. MS.

The President waited some weeks, and then turned his inquiry in another direction. On the 26th of March, 1863, he wrote to Andrew Johnson, at Nashville, then military governor of the State of Tennessee: "I am told you have at least thought of raising a negro military force. In my opinion the country now needs no specific thing so much as some man of your ability and position to go to

CHAP. XX. this work. When I speak of your position, I mean that of an eminent citizen of a slave State, and himself a slaveholder. The colored population is the great available and yet unavailed-of force for
1863. restoring the Union. The bare sight of fifty thousand armed and drilled black soldiers upon the banks of the Mississippi would end the rebellion at once. And who doubts that we can present that
Lincoln to Andrew Johnson, March 26, 1863. MS. sight if we but take hold in earnest? If you have been thinking of it, please do not dismiss the thought." There is no record that Governor Johnson ever made any reply to this proposal of the President. The Governor was already rendering important public service, and he perhaps reasoned justly that the time had not arrived when he could undertake a leadership full of such difficulties, uncertainties, and risks; although later in the same year he took hold of the task in a more restricted and qualified way, and cordially gave his personal and executive assistance in organizing colored regiments.

Meanwhile, under the combined influence of patriotism and military ambition, many Northern men of prominence and energy, and also imbued with liberal and progressive sentiments, came forward and volunteered their services to officer and organize negro regiments in the South. It required courage at that time to take this step, for the Confederate authorities had published a ban of outlawry and retaliation against all who should serve in such a capacity. A few days after his letter to Governor Johnson, the President wrote to General Banks, at New Orleans: "Hon. Daniel Ullman, with a commission of a brigadier-general, and two or three

hundred other gentlemen as officers, goes to your Department and reports to you, for the purpose of raising a colored brigade. To now avail ourselves of this element of force is very important, if not indispensable. I therefore will thank you to help General Ullman forward with his undertaking, as much and as rapidly as you can; and also to carry the general object beyond his particular organization if you find it practicable. The necessity of this is palpable if, as I understand, you are now unable to effect anything with your present force; and which force is soon to be greatly diminished by the expiration of terms of service, as well as by ordinary causes. I shall be very glad if you will take hold of the matter in earnest. You will receive from the Department a regular order upon this subject." General Banks responded to the President's request with great energy and with such success that on the 17th of August he made the following report of what he had accomplished in the four or five months which had elapsed: "General Ullman has now five regiments nearly completed, numbering about 2300 men, or 500 to each regiment. I have twenty-one regiments nearly organized, three upon the basis of a thousand men each, and eighteen of 500 men, making in all 10,000 or 12,000 men. There are also batteries of artillery and companies of cavalry in process of organization. These embrace all the material for such regiments that is within my command at the present time."

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Lincoln to Banks, March 29, 1863. MS.

Banks to Lincoln, Aug. 17, 1863. MS.

So also, continuing the same industrious prompting, the President wrote to General Hunter in the Department of the South a few days after his letter to Banks: "I am glad to see the accounts of your

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colored force at Jacksonville, Florida. I see the enemy are driving at them fiercely, as is to be expected. It is important to the enemy that such a force shall not take shape and grow and thrive in the South, and in precisely the same proportion it is important to us that it shall. Hence the utmost caution and vigilance is necessary on our part. The enemy will make extra efforts to destroy them, and we should do the same to preserve and increase them."

Lincoln to Hunter, April 1, 1863. W. R. Vol. XIV., pp. 435, 436.

It is unnecessary to follow the details and results attending these local efforts. It will be more interesting to read the correspondence growing out of another scheme to promote individual leadership in the great enterprise. We have seen how General Frémont had failed in two important military trusts confided to his judgment and care. Notwithstanding these failures the general retained the admiration and confidence of many influential politicians and considerable classes of citizens in the country who believed that his prestige and ability ought to be utilized, and who now sent the President a memorial[1] suggesting that he ought to be made an organizer and commander of negro troops. On this subject, President Lincoln, on the 1st of June, 1863, wrote to Senator Sumner:

May, 1863.

> In relation to the matter spoken of Saturday morning and this morning, to wit, the raising of colored troops in the North, with the understanding that they shall be commanded by General Frémont, I have to say that, while it is very objectionable, as a general rule, to have

[1] The memorial was signed by John E. Williams, Edward Haight, Henry C. Gardiner, Orsamus Bushnell, Edward A. Stansbury, Peter Cooper, William Cullen Bryant, William Curtis Noyes, Horace Greeley, Parke Godwin, Edgar Ketchum, Morris Ketchum, and Daniel S. Dickinson.

troops raised on any special terms, such as to serve only under a particular commander, or only at a particular place or places, yet I would forego the objection in this case, upon a fair prospect that a large force of this sort could thereby be more rapidly raised. That being raised, say to the number of ten thousand, I would very cheerfully send them to the field under General Frémont, assigning him a Department, made or to be made with such white force also as I might be able to put in. That with the best wishes towards General Frémont, I cannot now give him a Department, because I have not spare troops to furnish a new Department; and I have not, as I think, justifiable ground to relieve the present commander of any old one. In the raising of the colored troops, the same consent of governors would have to be obtained as in case of white troops, and the Government would make the same provision for them, during organization, as for white troops. It would not be a point with me whether General Frémont should take charge of the organization, or take charge of the force only after the organization. If you think fit to communicate this to General Frémont you are at liberty to do so.

Lincoln to Sumner, June 1, 1863. MS.

The result of the inquiry is given in the following reply from General Frémont to Mr. Sumner:

. . . I was pressingly reminded of your note by a visit from the committee which had called upon Mr. Lincoln and to which he had promised this letter to you. I beg you will say to the President that this movement does not, in the remotest way, originate with me. On the contrary, when the committee called upon me, I declined positively to enter into it, or to consent to having my name mentioned to the President in connection with it. The reasons which I gave to the committee were simply that I disapproved the project of raising and sending to the field colored troops in scattered and weak detachments. That it would only result in disaster to the colored troops, and would defeat effectually the expectations of the Government to mass them in a solid force against the rebellion. No short-reaching or partial plans can possibly succeed. I told them that if I had been

CHAP. XX. placed in the Department which the President and Secretary arranged for me when I was last in Washington, and in which I should have had a suitable field for this organization and white troops to protect it and insure its success, I could have undertaken it, and have undoubtedly organized a formidable force imminently dangerous to the Confederacy. But these views were merely in answer to the committee, and ended my relation to the subject. I beg you to say to the President that I have no design to embarrass him with creating a Department for me. In my judgment this whole business is as dangerous and difficult as it is important. It demands ability and great discretion and a fixed belief in the necessity of the work, and should only be undertaken upon some plan which would embrace the whole subject, and then be intrusted only to some officer of ability and judgment to whom the President would be willing to give the necessary powers. He must have power and the President's confidence — therefore I do not propose myself for this work. But I make him the following suggestions — it being understood I am thrown out of the question — namely: Make a Department of the country west of the Mississippi, Louisiana excluded; send them a suitable officer, give him full command of the Department and the white troops — Governor Gamble himself included — and let him draw the colored troops together from every quarter, and organize and consolidate them. He will have the whole line of the Mississippi River for his operations, and draw the colored men from the free North and the freedmen from the entire South. In this way the west country and the Mississippi River would be closed to the Confederacy by an army of 200,000 men, which, at the proper time, could take a deciding part in the war. This is my view of the subject, but is this time yet come? Will the President realize that if this summer's campaigns are not successful the Confederacy is well-nigh established? I think not. So if you think he will mix me up with the war-plan-makers of whose importunities he says he is tired, please say nothing to him about it. But pray don't let him think that I am moving in any direction, or by any persons, to get this command. Inclosed I return the President's letter, which I have shown to no one. I

informed the committee that I had received it, through yourself, but could not communicate its purport without the authority of the President. Will you please make my thanks to the President for his friendly expressions in my favor, and accept my very warm thanks to yourself. I have just had a visit from your governor, interesting and agreeable as his visits always are.

Frémont to Sumner, June 9, 1863. MS.

The various experiments, suggestions, and applications which have been related rendered it evident that the organization of the military strength of the black population of the country would not be fully accomplished by the mere sentiment of the black people, or the enthusiastic and voluntary efforts of one or more popular leaders, either white or black. To supply the steady, continuous official action necessary to broad success, the Government at length took up the work in its practical details. Early in April, 1863, the Secretary of War dispatched the adjutant-general of the army, General Lorenzo Thomas, to the West to examine and report upon the feasibility of recruiting and using negro soldiers; and his mission from the first was attended with success. He telegraphed from Memphis under date of April 4, 1863: "I arrived here last night, and explained this morning to General Hurlbut the policy of the Administration respecting the contrabands. He says his corps will give it their support, especially those regiments which have been in battle. He desires six hundred as artillerists, to man the heavy guns in position, which he says can readily be raised from the contrabands within his lines. I have authorized him to raise six companies and select the officers." From Memphis he went to Lake Providence, Louisiana, where he addressed the divisions com-

Thomas to Stanton, April 4, 1863.

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manded by Generals McArthur and Logan on April 8: "I announced to the former division in the morning, 4000 being present, the policy of the Government respecting the black race, and in the afternoon to General Logan's division, some 7000.[1] The troops received it with great enthusiasm, and many speeches were made by officers of different rank, fully indorsing the policy. . . I asked from each of these divisions officers to raise two negro regiments, but the difficulty will be to restrict them to that number, for at least ten regiments can be obtained. My first arrangements are for ten regiments, and after these shall have been raised further arrangements will be made for others." From the headquarters of General Grant at Milliken's Bend he telegraphed on April 16: "The policy respecting the negroes having been adopted, commanding officers are perfectly willing and ready to afford every aid in carrying it out to

Thomas to Stanton, April 9, 1863.

[1] "I came from Washington clothed with the fullest power in this matter. With this power I can act as if the President of the United States were himself present. I am directed to refer nothing to Washington, but to act promptly — what I have to do, to do at once — to strike down the unworthy and to elevate the deserving. . . They [the freedmen] are to be encouraged to come to us. They are to be received with open arms; they are to be fed and clothed; they are to be armed.

"This is the policy that has been fully determined upon. I am here to say that I am authorized to raise as many regiments of blacks as I can. I am authorized to give commissions from the highest to the lowest, and I desire those persons who are earnest in this work to take hold of it. I desire only those whose hearts are in it, and to them alone will I give commissions. I don't care who they are or what their present rank may be. I do not hesitate to say that all proper persons will receive commissions.

"While I am authorized thus, in the name of the Secretary of War, I have the fullest authority to dismiss from the army any man, be his rank what it may, whom I find maltreating the freedmen." — General Lorenzo Thomas, Address, "Annual Cyclopædia," 1863, p. 26.

a successful issue. . . I shall find no difficulty in organizing negro troops to the extent of 20,000, if necessary. The prejudice in this army respecting arming the negroes is fast dying out."

Thomas to Stanton, April 16, 1863.

About this date, however, General Grant began his famous Vicksburg campaign, and the movement of the whole army unavoidably interrupted the recruiting operations of General Thomas. Nevertheless, he again reported from Memphis under date of May 18: "Returned from Corinth after addressing the troops at twelve different places. The policy with regard to the blacks enthusiastically received. Have authorized the following regiments: Two at Helena, — one full, the other will be completed by the end of the month, — five in Louisiana, organizing, from Lake Providence to Young's Point; two in Mississippi. But for the movement of Grant these regiments would have been filled. . . Five thousand will be raised in these regions in two weeks. My aim has been to raise twenty thousand, and I see nothing to prevent it."

Ibid., May 18, 1863.

These reports made by the Adjutant-General were of such importance and such promise that the Secretary of War on the 22d of May, 1863, by general orders, established in the Adjutant-General's Office of the War Department, a special bureau for the organization of colored troops. Its function was, after providing for keeping proper records and regulating their enlistment and inspection, to provide for furnishing them with competent white officers; no person to be allowed to recruit colored troops except specially authorized by the War Department, and only those applicants for this service

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were to be commissioned whom a board of examination had passed with a designation of the proper grade for which each candidate was fit; non-commissioned officers were to be selected from the best men among the recruits in the usual mode. But it was impossible to put these wholesome restrictions immediately into practice, and for a considerable time General Thomas, in the name of the Secretary of War, made such appointments in the regiments which he organized; or in his absence provisional appointments were made by the Department commanders subject to approval by the President; and such scrutiny depending upon current personal reputation among armies in the practical trial of actual campaign, was probably as likely to obtain good material as if made by boards of examination upon theoretical acquirements.

Report, Provost Marshal General, March 17, 1866.

Ibid.

The raising of negro soldiers in the free States, under State authority, became successful only in Massachusetts. Governor Sprague, of Rhode Island, asked for permission to raise a regiment as early as September 9, 1862. This, however, was before the Government adopted the policy; besides, the opinion of Governor Andrew, of Massachusetts, was: "It will be essential to the recruitment of the colored regiment commenced by Governor Sprague, that the colored population of other States shall contribute towards it, the number of persons of African descent in the State of Rhode Island alone being insufficient for the purpose." On January 20, 1863, the latter obtained authority from the Secretary of War for this object, and issued his own order of recruitment on February 7. Governor Andrew's antislavery zeal prompted him to make this ex-

Sprague to Stanton, Sept. 9, 1862. MS.

Schouler, "Massachusetts in the Civil War," Vol. I., p. 361. "Annual Cyclopædia," 1863, p. 26.

ample as conspicuous and successful as possible by every care and attention which his own authority could supply. He selected the officers for the Fifty-fourth Massachusetts Volunteers, writes his adjutant-general, from men "of acknowledged military ability and experience, of the highest social position, if possible, in the State, and men who believed in the capacity of colored men to make good soldiers." Frederick Douglass, the colored orator, personally assisted in recruiting this regiment, and two of his sons marched in its ranks. Completed, organized, and equipped, the regiment, after receiving an ovation in Boston, embarked on the 28th day of May for South Carolina. Another regiment, the Fifty-fifth Massachusetts Colored, was also organized immediately afterwards, and sailed from Boston on the 21st of June for North Carolina.

Schouler, "Massachusetts in the Civil War." Vol. I., p. 408.

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These two were the only colored regiments organized under State authority, but efforts were set on foot in other States to recruit negroes under United States authority, wherever this class of population seemed sufficient to furnish recruits.[1] The most promising field of course was in the border slave States; but here local prejudice still threw obstacles in the way of this policy. Governor Bramlette of Kentucky in his inaugural address, September 1, 1863, strongly objected to arming

"Rebellion Record." Vol. VII., Diary, p. 47.

[1] On October 13, 1863, the War Department ordered recruiting stations for colored troops to be established in Maryland, Missouri, and Tennessee, and they were soon extended to Delaware. The order provided that free persons, and slaves with the written consent of their owners, and slaves belonging to rebels, might be enlisted. And if a sufficient number of recruits were not obtained within thirty days, then slaves might be enlisted without consent of their owners, the latter, however, if loyal, to receive compensation as well as those who gave their consent.

Ibid., Vol. VIII., Documents, p. 145.

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negroes. Governor Bradford of Maryland in a letter to the President, while disclaiming any desire "to arrest or impede any action of the Government calculated to contribute to its safety or to crush the power of those who are assailing it," complained that the slaves of Maryland planters were secretly enlisted and carried away, and he strongly protested against such methods. Governor Gamble and the conservatives of Missouri were, to say the least, thwarting rather than aiding such enlistments. The Governor indeed gave his consent, but on condition that the laws of Missouri should not be violated; a condition almost impossible to observe. Even Andrew Johnson, military governor of Tennessee, deprecated the sending of recruiting officers to Tennessee, saying that more laborers were needed than could be obtained to erect fortifications, and that, "All the negroes will quit work when they can go into camp and do nothing. . . It is exceedingly important for this question to be handled in such way as will do the least injury in forming a correct public judgment at this time. We hope, therefore, that the organization of negro regiments in Tennessee will be left to the general commanding this Department and the military governor."

Bradford to Lincoln, Sept. 28, 1863. MS.

Johnson to Stanton, Sept. 17, 1863.

Amidst the exciting events which attended Lee's invasion of Pennsylvania in June, 1863, the work of organizing the black regiments, like many other important matters, was temporarily delayed; but the happy issue of the battle of Gettysburg, and the simultaneous capture of Vicksburg, left the Government free once more to push it with energy. Upon the 21st of July, President Lincoln wrote to

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the Secretary of War: "I desire that a renewed and vigorous effort be made to raise colored forces along the shores of the Mississippi—please consult the General-in-Chief, and if it is perceived that any acceleration of the matter can be effected, let it be done. I think the evidence is nearly conclusive that General Thomas is one of the best (if not the very best) instruments for this service." It is interesting to recall at this point how accurate had been the President's thoughts and investigations upon this whole question, since, in its original discussion before the Cabinet of the previous year, he had indicated the shores of the Mississippi as the region where a negro military force might be most easily and speedily organized and most usefully employed. The mission of General Thomas had vindicated his sagacity. Shortly after his direction to the Secretary of War, the President also wrote to General Grant: " . . . A word upon another subject. General Thomas has gone again to the Mississippi Valley, with the view of raising colored troops. I have no reason to doubt that you are doing what you reasonably can upon the same subject. I believe it is a resource which if vigorously applied now will soon close the contest. It works doubly, weakening the enemy and strengthening us. We were not fully ripe for it, until the river was opened. Now, I think at least one hundred thousand can and ought to be rapidly organized along its shores, relieving all white troops to serve elsewhere. Mr. Dana understands you as believing that the emancipation proclamation has helped some in your military operations. I am very glad if this is so. . ." To this sugges-

Lincoln to Stanton, July 21, 1863. MS.

Lincoln to Grant, Aug. 9, 1863. MS.

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> I have given the subject of arming the negro my hearty support. This, with the emancipation of the negroes, is the heaviest blow yet given the Confederacy. The South rave a great deal about it and profess to be very angry, but they were united in their action before, and with the negro under subjection could spare their entire white population for the field. Now they complain that nothing can be got out of their negroes. There has been great difficulty in getting able-bodied negroes to fill up the colored regiments in consequence of the rebel cavalry running off all that class to Georgia and Texas. This is especially the case for a distance of fifteen or twenty miles on each side of the river. I am now, however, sending two expeditions into Louisiana, one from Natchez to Harrisonburg and one from Goodrich's Landing to Monroe, that I expect will bring back a large number. I have ordered recruiting officers to accompany these expeditions. I am also moving a brigade of cavalry from Tennessee to Vicksburg, which will enable me to move troops to a greater distance into the interior, and will facilitate materially the recruiting service. General Thomas is now with me, and you may rely on it I will give him all the aid in my power. I would do this whether the arming the negro seemed to me a wise policy or not, because it is an order that I am bound to obey, and do not feel that in my position I have a right to question any policy of the Government. In this particular instance there is no objection however to my expressing an honest conviction; that is, by arming the negro we have added a powerful ally. They will make good soldiers, and taking them from the enemy weakens him in the same proportion they strengthen us. I am therefore most decidedly in favor of pushing this policy to the enlistment of a force sufficient to hold all the South falling into our hands and to aid in capturing more.

Grant to Lincoln, Aug. 23, 1863. MS.

It is needless to follow in further detail the systematic recruitment and organization of colored

soldiers which went on from this time forward. Whatever misgivings or prejudices may have existed among the loyal people of the North, or among conservative officers in the field, faded out before the stern necessity of replenishing the armies, which were not only being constantly wasted by disease and battle, but whose aggressive campaigning strength was as continually being diminished by the very victories they gained, involving an increase of local garrisons. From the midsummer of 1863, little more was heard of opposition to colored troops, except in the border States, and from the more ultra-Democratic politicians in the free States. The policy had forced its own acceptance; if not as a voluntary conviction, at least as an unavoidable necessity, and there was scarcely a district in the North in which the arms-bearing population was not entirely willing to receive colored soldiers, from a single recruit to a regiment, either in filling its complement of volunteers or in reducing its quota under the draft. The new system of raising armies by conscription, to which the Government was obliged to resort during the year 1863, furnished to popular apprehension the most convincing and final argument in favor of the new policy of arming the blacks. A law of Congress, approved February 24, 1864, amendatory of the enrollment act, provided: That all able-bodied male colored persons, between the ages of twenty and forty-five years, resident in the United States, should be enrolled and form part of the national forces, with further provision that loyal masters of drafted slaves should receive bounty and compensation, and that the slave should become free.

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If a single argument were needed to point out President Lincoln's great practical wisdom in the management of this difficult question, that argument is found in the mere summing up of its tangible military results. At the beginning of December, 1863, less than a year after the President first proclaimed the policy, he was able to announce in his annual message that about 50,000 late slaves were then actually bearing arms in the ranks of the Union forces. A report made by the Secretary of War on April 2, 1864, shows that the number of negro troops then mustered into the service of the United States as soldiers had increased to 71,976.[1] And we learn further, from the report of the Provost Marshal General that at the close of the war there were in the service of the United States, of colored troops, 120 regiments of infantry, 12 regiments of heavy artillery, 10 companies of light artillery, and 7 regiments of cavalry; making a grand aggregate of 123,156 men. This was the largest number in service at any one time, but it does not represent all of them. The entire number commissioned and enlisted in this branch of the service during the war, or, more properly speaking, during the last two years of the war, was 186,017 men.

Report, Provost Marshal General.

[1] "Official returns from the Quartermaster and Commissary Departments are not yet complete, but the returns already received by the Quartermaster-General show that the number of colored persons enrolled in its service as teamsters, etc., are over 11,000. The actual number, when all the official returns come in, will probably more than double this number. They are equivalent to an equal number of white persons. The commissary's returns are too incomplete to afford a basis of any estimate, but will, at least, amount to one-half of the Quartermaster's Department. To the above number are to be added the cooks, officers' servants, etc., amounting to several thousands."

Stanton, Report, April 2, 1864. MS.

This magnificent exhibit is a testimony to Mr. Lincoln's statesmanship which can hardly be overvalued. If he had adopted the policy when it was first urged upon him by impulsive enthusiasts, it would have brought his Administration to political wreck, as was clearly indicated by the serious election reverses of 1862. But restraining the impatience and the bad judgment of his advisers, and using that policy at the opportune moment, he not only made it a powerful lever to effect emancipation, but a military overweight aiding effectually to crush the remaining rebel armies and bring the rebellion, as a whole, to a speedy and sudden collapse.

One point of doubt about employing negroes as soldiers was happily removed almost imperceptibly by the actual experiment. It had been a serious question with many thoughtful men whether the negro would fight. It was apprehended that his comparatively recent transition from barbarism to civilization, and the inherited habits of subjection and dependence imposed upon him by two centuries of enslavement, had left his manhood so dwarfed and deadened as to render him incapable of the steady and sustained physical and moral courage needful to armies in modern warfare. Practical trial in skirmish and battle, however, proved the gallantry and reliability of the black soldier in the severest trials of devotion and heroism. Within half a year after Lincoln's order of enlistment the black regiments had furnished such examples of bravery on many fields that commanders gave them unstinted praise and white officers and soldiers heartily accepted them as worthy and trusted companions in arms.

CHAPTER XXI

RETALIATION

CHAP. XXI. 1862.

THE rebel authorities watched the experiment of arming the blacks with the keenest apprehension and hostility. In Mr. Lincoln's order of July 22, 1862, directing military commanders to seize and use property, real or personal, for military purposes, and to employ "persons of African descent as laborers," Jefferson Davis professed already to discover a wicked violation of the laws of war, apparently forgetting that his own generals were everywhere using such persons in military labor. When it was learned that Hunter and Phelps were endeavoring to organize negro regiments, the language employed to express Southern affectation of surprise and protest bordered on the ludicrous. "The best authenticated newspapers received from the United States," writes General Lee, "announce as a fact that Major-General Hunter has armed slaves for the murder of their masters, and has thus done all in his power to inaugurate a servile war, which is worse than that of the savage, inasmuch as it superadds other horrors to the indiscriminate slaughter of ages, sexes, and conditions"; and Phelps is charged with imitating the bad example. General Halleck very properly

Lee to Halleck, Aug. 2, 1862. Moore, "Rebellion Record." Vol. IX., Documents, p. 246.

returned this and another letter, as insulting to the Government of the United States. A little later the Confederate War Department issued a formal order: CHAP. XXI.

That Major-General Hunter and Brigadier-General Phelps be no longer held and treated as public enemies of the Confederate States, but as outlaws; and that in the event of the capture of either of them, or that of any other commissioned officer employed in drilling, organizing, or instructing slaves, with a view to their armed service in this war, he shall not be regarded as a prisoner of war, but held in close confinement for execution as a felon at such time and place as the President shall order.

General Orders, August 21, 1862. W. R. Vol. XIV., p. 599.

Mr. Davis seems to have cultivated a sort of literary pride in these formulas of invective, for in his sensational proclamation of outlawry against General Butler and all commissioned officers in his command he repeats: "African slaves have not only been incited to insurrection by every license and encouragement, but numbers of them have actually been armed for a servile war—a war in its nature far exceeding the horrors and most merciless atrocities of savages." In this it was ordered "that all negro slaves captured in arms be at once delivered over to the executive authorities of the respective States to which they belong, to be dealt with according to the laws of said States"; and that Butler and his commissioned officers, "robbers and criminals deserving death, . . . be, whenever captured, reserved for execution."

Davis, Proclamation, Dec. 23, 1862. "Annual Cyclopædia," 1862, p. 738.

President Lincoln's two proclamations of emancipation excited similiar threats. About a week after the first was issued it was made a subject of discussion in the Confederate Senate at Richmond, and a Confederate writer recorded in his diary the

CHAP. XXI.

Jones, "A Rebel War Clerk's Diary." Vol. I., p. 159.

Davis, Annual Message, January 12, 1863. "Annual Cyclopædia," 1863, p. 786.

next day: "Some of the gravest of our senators favor the raising of the black flag, asking and giving no quarter hereafter." When the final proclamation reached Richmond Jefferson Davis was writing his annual message to the rebel Congress, and he ransacked his dictionary for terms to stigmatize it. "Our own detestation of those who have attempted the most execrable measure recorded in the history of guilty man is tempered by profound contempt for the impotent rage which it discloses." This new provocation also broadened his field of retaliation. He now declared that he would deliver "such criminals as may attempt its execution"—all commissioned officers of the United States captured in States embraced in the proclamation—to the executives of such States, to be punished for exciting servile insurrection.

1863.

The Confederate Congress, while responding to the full degree of the proposed retaliation, nevertheless preferred to keep the power of such punishment in the hands of the central military authorities, apparently as promising a more certain and summary execution. That body passed a joint resolution, approved by Davis May 1, 1863, which prescribed that white officers of negro Union soldiers "shall, if captured, be put to death or be otherwise punished at the discretion of the court," the trial to take place "before the military court attached to the army or corps" making the capture, or such other military court as the Confederate President should designate.

C. S. Statutes-at-Large for 1863, p. 167.

The Confederate Cabinet seems to have been quite ready to execute this law of summary retaliation prescribed by the Confederate Congress. In a

letter of suggestions written by J. A. Seddon, the Confederate Secretary of War, to General E. Kirby Smith, commanding the trans-Mississippi Department, under date of August 12, 1863, he said: "It is very probable that the forces employed by the enemy in guarding the river will consist, in large measure, of negro troops. I think I have already in previous communications intimated to you, as my own judgment, that a most marked distinction should be made in the treatment, when taken, of these negro troops and of the white men leading them. The latter had better be dealt with red-handed on the field or immediately thereafter. The former, to be considered rather as deluded victims of the hypocrisy and malignity of the enemy, should not be driven to desperation, but received readily to mercy and encouraged to submit and return to their masters." CHAP. XXI

W. R. Vol. XXII., Part II., p. 965.

When the Confederate threats regarding negro soldiers were first launched the experiment had not yet been formally authorized by the Government; and as there was no probability that any early capture of such persons would be made by the enemy no attention was paid to rebel orders and proclamations on the subject. A year later, however, when negro regiments were springing into full organization simultaneously in many places, the matter became one of grave import. As a rule, the black regiments were commanded by white officers, often selected, as was specially the case with the Fifty-fourth Massachusetts, from the very best material, whose bravery in incurring this additional risk deserved the extra watchfulness and protection of the Government. The most elementary justice required

CHAP. XXI. 1863.

that if it called the black man to do a soldier's duty it must cover him with a soldier's right, and Northern sentiment was prompt in urging the claim. Frederick Douglass has related how he pressed the point upon Mr. Lincoln, and the President's reply:

> As to the exchange and general treatment of colored soldiers when taken prisoners of war, he should insist on their being entitled to all privileges of such prisoners. Mr. Lincoln admitted the justice of my demand for the promotion of colored soldiers for good conduct in the field, but on the matter of retaliation he differed from me entirely. I shall never forget the benignant expression of his face, the tearful look of his eye, and the quiver in his voice when he deprecated a resort to retaliatory measures. "Once begun," said he, "I do not know where such a measure would stop." He said he could not take men out and kill them in cold blood for what was done by others. If he could get hold of the persons who were guilty of killing the colored prisoners in cold blood the case would be different, but he could not kill the innocent for the guilty.

Frederick Douglass, Reminiscences, New York "Tribune," July 5, 1885.

Nevertheless, in view of the great success which attended the enlistment of black recruits, it became necessary for the Government to adopt a settled policy on the question, and on July 30, 1863, the President issued the following comprehensive order:

> It is the duty of every government to give protection to its citizens of whatever class, color, or condition, and especially to those who are duly organized as soldiers in the public service. The law of nations and the usages and customs of war, as carried on by civilized powers, permit no distinction as to color in the treatment of prisoners of war as public enemies. To sell or enslave any captured person on account of his color, and for no offense against the laws of war, is a relapse into barbarism and a crime against the civilization of the age.

CHAP. XXI.

July 30, 1863.

The Government of the United States will give the same protection to all its soldiers, and if the enemy shall sell or enslave any one because of his color the offense shall be punished by retaliation upon the enemy's prisoners in our possession.

It is therefore ordered that for every soldier of the United States killed in violation of the laws of war a rebel soldier shall be executed; and for every one enslaved by the enemy, or sold into slavery, a rebel soldier shall be placed at hard labor on the public works, and continued at such labor until the other shall be released and receive the treatment due to a prisoner of war.

Report, Provost Marshal General.

It is a gratification to record that the rebel Government did not persist in the barbarous conduct it had officially announced, and that sanguinary retaliation did not become necessary. There were, indeed, some unimportant instances of imprisonment of captured blacks, as hostages for which a few rebel soldiers were ordered into confinement by General Halleck, but the cases were not pushed to extremity under executive sanction on either side. Much more serious excesses, however, occurred under the responsibility and conduct of individual officers; it is probable that most of them went unrecorded. In October, 1862, when the guerrilla outrages in Missouri were in one of their moments of fiercest activity, a Union citizen of Palmyra was abducted and murdered under circumstances which clearly marked it as an instance of concerted and deliberate partisan revenge. In retaliation for this Colonel John McNeil, the Union officer in local command, who was under orders to deal severely and summarily with this class of offenders, having demanded the perpetrators, which demand was not complied with, ordered the execution of ten rebel guerrillas of the same neighborhood, and

CHAP. XXI. 1862. carried out the order with military publicity and formality. Even admitting the strong provocation, modern sentiment could scarcely justify a punishment tenfold as severe as that demanded by the Mosaic law. But General McNeil has lately printed a letter explaining the circumstances, in which he says: "The ten guerrillas executed (not one of whom but had committed murder under circumstances of atrocity) were selected from twenty-two who had previously been formally tried by a United States military commission and sentenced to death, so that their death was but hastened by the act of retaliation; the remaining twelve of the twenty-two convicted being soon afterwards shot in pursuance of their sentence by the officers in command at Macon City and Mexico, Missouri."

"Century Magazine," July, 1889, p. 475.

Less than a month later there was brief mention in a letter of the rebel Major-General Holmes to the Confederate War Department of an analogous occurrence in Northern Texas. "A secret organization," he wrote, "to resist the [Confederate] conscript act in Northern Texas has resulted in the citizens organizing a jury of investigation, and I am informed they have tried and executed forty of those convicted, and thus this summary procedure has probably crushed the incipient rebellion." Even without the details the incident is a convincing explanation of the seeming unanimity for rebellion in that region.

Holmes to Cooper, Nov. 3, 1862. W. R. Vol. XIII., p. 908.

The most shocking occurrence of this character, however, followed the employment of negro soldiers. We cannot adequately picture the vindictive rage of many rebel masters at seeing recent slaves uniformed and armed in defense of a Gov-

ernment which had set them free. Under the barbarous institution to perpetuate which they committed treason and were ready to die, they had punished their human chattels with the unchecked lash, sold them on the auction block, hunted them with bloodhounds; and it is hardly to be wondered at that amid the license of war individuals among them now and then thought to restore their domination by the aid of military slaughter. As an evidence that such thoughts existed here and there we need only cite the language of Major-General John C. Breckinridge, late Vice-President of the United States. Writing under date of August 14, 1862, to the Union commander at Baton Rouge, he recites in a list of alleged "outrages" that "information has reached these headquarters that negro slaves are being organized and armed to be employed against us"; and adds, "I am authorized by Major-General Van Dorn, commanding this department, to inform you that the above acts are regarded as in violation of the usage of civilized warfare, and that in future, upon any departure from these usages, he will raise the black flag and neither give nor ask quarter." CHAP. XXI. W. R. Vol. XV., pp. 550, 551.

Mere official bravado, from however conspicuous a personage, only deserves mention when, as in this instance, it illustrates a type of feeling which in one case at least manifested itself in an incident of shocking barbarity. In the spring of the year 1864 President Lincoln went to Baltimore to attend the opening of a large fair for the benefit of the Sanitary Commission. In concluding the address which he was called upon to make on that occasion he said:

CHAP. XXI. 1864.

A painful rumor, true I fear, has reached us of the massacre, by the rebel forces at Fort Pillow, in the west end of Tennessee, on the Mississippi River, of some three hundred colored soldiers and white officers, who had just been overpowered by their assailants. There seems to be some anxiety in the public mind whether the Government is doing its duty to the colored soldier, and to the service, at this point. At the beginning of the war, and for some time, the use of colored troops was not contemplated; and how the change of purpose was wrought I will not now take time to explain. Upon a clear conviction of duty I resolved to turn that element of strength to account; and I am responsible for it to the American people, to the Christian world, to history, and on my final account to God. Having determined to use the negro as a soldier, there is no way but to give him all the protection given to any other soldier. The difficulty is not in stating the principle, but in practically applying it. It is a mistake to suppose the Government is indifferent to this matter, or is not doing the best it can in regard to it. We do not to-day *know* that a colored soldier, or white officer commanding colored soldiers, has been massacred by the rebels when made a prisoner. We fear it, believe it, I may say, but we do not *know* it. To take the life of one of their prisoners on the assumption that they murder ours, when it is short of certainty that they do murder ours, might be too serious, too cruel, a mistake. We are having the Fort Pillow affair thoroughly investigated; and such investigation will probably show conclusively how the truth is. If after all that has been said it shall turn out that there has been no massacre at Fort Pillow it will be almost safe to say there has been none, and will be none, elsewhere. If there has been the massacre of three hundred there, or even the tenth part of three hundred, it will be conclusively proven; and, being so proven, the retribution shall as surely come. It will be matter of grave consideration in what exact course to apply the retribution; but in the supposed case it must come.

Raymond, "Life of Abraham Lincoln," pp. 502, 503.

The investigation referred to by the President was made by the Committee on the Conduct of the

War, and included the sworn testimony of about eighty witnesses, most of them actual participants in the occurrence. The Committee found that Fort Pillow, Tennessee, situated on the Mississippi River, and garrisoned by about 557 Union troops, of whom 262 were colored, was captured by assault, by an overwhelming force of Confederates under General Forrest, on April 12, 1864, and that "of the men from 300 to 400 are known to have been killed at Fort Pillow, of whom at least 300 were murdered in cold blood after the post was in possession of the rebels and our men had thrown down their arms and ceased to offer resistance." CHAP. XXI.

Report, Committee on Conduct of the War.

It further appears that this inhumanity was directed principally against the colored soldiers. The rebel general and his subordinates stoutly denied the accusation of vindictiveness, but their explanations and later evidence failed to shake the general substance of the Committee's allegation and proof. Indeed, it would be difficult to refute the conclusiveness of the first report of General Forrest himself. On the third day after his exploit he telegraphed to General Polk:

April 15, 1864.

I attacked Fort Pillow on the morning of the 12th instant with a part of Bell's and McCulloch's brigades, numbering ————, under Brigadier-General J. R. Chalmers. After a short fight we drove the enemy, seven hundred strong, into the fort under cover of their gunboats, and demanded a surrender, which was declined by Major L. W. Booth, commanding United States forces. I stormed the fort, and after a contest of thirty minutes captured the entire garrison, killing five hundred and taking one hundred prisoners, and a large amount of quartermaster stores. The officers in the fort were killed, including Major Booth. I sustained a loss of twenty killed and sixty wounded. The Confederate flag now floats over the fort.

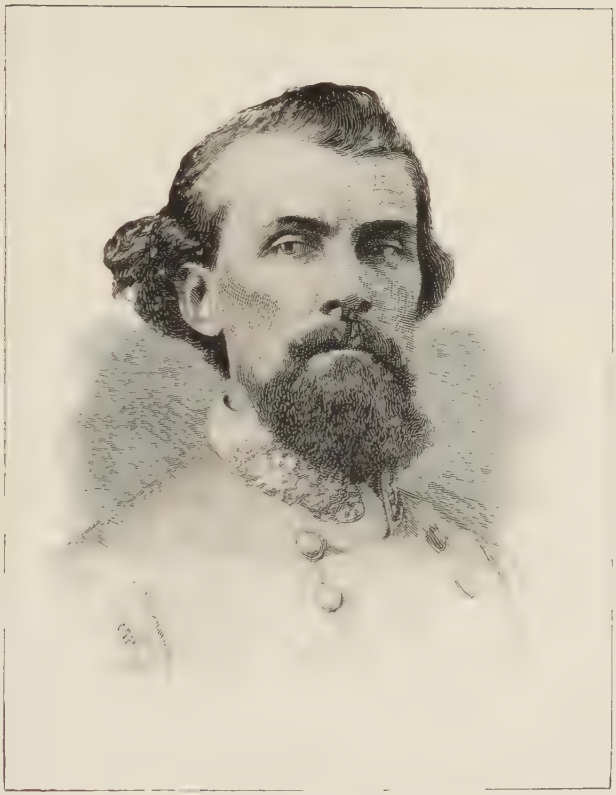
Jones, "A Rebel War Clerk's Diary." Vol. II., p. 189.

CHAP. XXI. 1864. This astonishing result is further explained by the contemporaneous threats made officially by these Confederate officers. On the 25th of March preceding, in demanding the surrender of Paducah, Kentucky, General Forrest wrote: "If you surrender, you shall be treated as prisoners of war; but if I have to storm your works, you may expect no quarter." And on the day following the Fort Pillow massacre, General A. Buford, one of Forrest's brigadiers, said in his demand for the surrender of Columbus, Kentucky: "Should you surrender, the negroes now in arms will be returned to their masters. Should I, however, be compelled to take the place, no quarter will be shown to the negro troops whatever; the white troops will be treated as prisoners of war." And in a subsequent correspondence Forrest wrote, under date of June 20, to the Union general, C. C. Washburn: "I regard captured negroes as I do other captured property, and not as captured soldiers." The language of these officers at Paducah and Columbus is a sufficient commentary on their achievement at Fort Pillow. The excuse of hot blood and sudden passion can hardly be urged in extenuation. For nearly a full year the subject had been under official scrutiny and debate. Their Secretary of War had long since officially suggested "red-handed" dealings "on the field or immediately thereafter" for white officers of colored regiments, with mercy for negro soldiers, that the latter might not be driven to desperation. Whether Forrest and others read a hidden meaning between the lines of the Confederate Secretary's letter, or whether they chose to defy the spirit it breathed, their acts have

Moore, "Rebellion Record." Vol. VIII., Documents, p. 73.

Ibid., p. 74.

Moore, "Rebellion Record." Vol. X., Documents, p. 724.



GENERAL N. B. FORREST.

the appearance of a deliberate policy and intention. CHAP. XXI.

President Lincoln formally took up the consideration of the subject, on the 3d of May, by writing to the several members of his Cabinet: "It is now quite certain that a large number of our colored soldiers, with their white officers, were, by the rebel force, massacred after they had surrendered, at the recent capture of Fort Pillow. So much is known, though the evidence is not yet quite ready to be laid before me. Meanwhile I will thank you to prepare, and give me in writing, your opinion as to what course the Government should take in the case." 1864. Lincoln to the Cabinet, May 3, 1864. MS.

The answers of his advisers differed widely. Mr. Seward affirmed the duty of the Government to vindicate the right of all its soldiers to be regarded and treated as prisoners of war; nevertheless, he urged great caution in any proceeding looking to retaliation, and advised for the present only the setting apart and rigorous confinement of an equal number of Confederate prisoners as hostages until the rebel Government could be called upon to explain or disavow the cruelties and give pledges that they should not be repeated. Mr. Chase held the same view, except that he advised that the hostages should be selected from rebel prisoners of highest rank, in number equivalent, according to the rules of exchange, to the officers and men murdered at Fort Pillow. Mr. Stanton also advised that the hostages be selected from rebel officers; that Forrest, Chalmers, and all officers and men concerned in the Fort Pillow massacre be excluded from the benefit of the President's proclamation of Seward, Opinion, MS. Chase, Opinion, MS.

CHAP. XXI. amnesty and from the privilege of exchange, and their delivery for punishment be demanded from
1864. the Richmond authorities, in default of which delivery the President should take such measures
Stanton, Opinion, MS. against the hostages as the state of things then existing might make necessary. The advice of
Welles, Opinion, MS. Mr. Welles was essentially the same as that of Mr. Stanton.

Mr. Blair, on the contrary, took different ground. "There are two reasons," he wrote, "which would prevent me from ordering the execution of prisoners, man for man, in retaliation for the massacre at Fort Pillow. *First.* That I do not think the measure would be justified by the rules of civilized warfare, even in a contest between alien enemies. *Second.* Because, even if allowable in such a contest, it would not be just in itself or expedient in the present contest. . . And the inclination of my mind is, to pursue the actual offenders alone in such cases as the present; to order the most energetic measures for their capture, and the most summary punishment when captured. . . A proclamation or order that the guilty individuals are to be hunted down will have far greater terrors, and be far more effectual to prevent the repetition of the crime, than
Blair, Opinion, MS. the punishment of parties not concerned in that crime."

Mr. Bates agreed in opinion with Mr. Blair. He would demand of the enemy a disavowal or an avowal of the act. If he disavow it, then demand the surrender of the generals guilty of the Fort Pillow massacre to be dealt with at your discretion. If he avow and justify the act, then instruct your commanders to cause instant execution upon any

and all participants in the massacre, whether officers or privates, who should fall into their power. He added: "I would have no compact with the enemy for mutual slaughter; no cartel of blood and murder; no stipulation to the effect that if you murder one of my men I will murder one of yours! Retaliation is not mere justice. It is avowedly revenge; and is wholly unjustifiable, in law and conscience, unless adopted for the sole purposes of punishing past crime and of giving a salutary and blood-saving warning against its repetition." CHAP. XXI. 1864. Bates, Opinion, MS.

Mr. Usher also joined in the opinion that punishment should not be visited upon innocent persons, but he urged "that the Government should set apart for execution an equal number of prisoners who since the massacre have been, or may hereafter from time to time be, captured from Forrest's command." He also urged another reason: "We are upon the eve of an impending battle. Until the result shall have been known it seems to me to be inexpedient to take any extreme action in the premises. If favorable to our arms, we may retaliate as far as the laws of war and humanity will permit. If disastrous and extreme measures should have been adopted, we may be placed in a position of great embarrassment, and forced to forego our threatened purpose in order to avoid a worse calamity." Usher, Opinion, MS.

It is probable that this view took a deep hold upon the Cabinet. Grant was about entering upon his Wilderness Campaign, and its rapid succession of bloody conflicts crowded out of view and consideration a topic so difficult and so hazardous as wholesale retaliation for the Fort Pillow barbarity,

CHAP. XXI. which, on one hand, strict justice demanded, and which, on the other, enlightened humanity forbade. In these opposing duties there could be little doubt toward which the kind heart of the President would incline. He had long since laid down for himself a rule of conduct applicable to this class of cases. In his annual message of December 3, 1861, he had declared: "In considering the policy to be adopted for suppressing the insurrection, I have been anxious and careful that the inevitable conflict for this purpose shall not degenerate into a violent and remorseless revolutionary struggle." It does not appear that the Fort Pillow question was ever seriously renewed in the Cabinet or definitely concluded by the President.

The proceedings relating to retaliation, which we have thus far sketched, bring us back to another and by no means the least interesting phase of the general subject of negro soldiers. We may here anticipate the course of events so far as to say that, in the autumn and winter of 1864, the cause of the South was already lost and the collapse of the Confederate Government plainly foreshadowed to all except the leaders, whose infatuation and wounded vanity made them unwilling to acknowledge and accept defeat. Yet this effort to avoid confession of error in one direction compelled them to admit it in another. They had seceded for slavery, had made it the corner-stone of their Government, had anathematized President Lincoln for his decrees of emancipation, had pronounced the ban of outlawry, and had prescribed the sentence of death against every white officer who might dare to command negro troops; but now, in their extremity, some of

them proposed to throw consistency to the winds and themselves commit the acts upon which they had invoked the reprobation of mankind, and for which they had ordained extreme punishment.

It would be difficult to estimate the benefit they had derived from the direct military labor of the slave, especially in building fortifications. They now proposed not only to put arms in his hands and make him a soldier to fight in the ranks, but also, as a final step, to emancipate him for the service. Even the flexible political conscience of Jefferson Davis, however, winced a little at the bold abandonment of principle which this policy involved, and in his message of November 7, 1864, to the Confederate Congress he argued the question with the reluctance of a man preparing to walk over live coals. We have not space to abridge his hair-splitting arguments to justify the South in what they had so vociferously denounced when done by the North. The sum of his recommendation is that the 20,000 slaves then employed in various labors in the Confederate army should be increased to 40,000, be drilled in "encamping, marching, and parking trains," and "employed as a pioneer and engineer laborer." He says:

> I must dissent from those who advise a general levy and arming of the slaves for the duty of soldiers. Until our white population shall prove insufficient for the armies we require and can afford to keep in the field, to employ as a soldier the negro, who has merely been trained to labor, and as a laborer,— the white man accustomed from his youth to the use of firearms,— would scarcely be deemed wise or advantageous by any; and this is the question now before us. But should the alternative ever be presented of subjugation or of the employment of the slave as a

"Annual Cyclopædia," 1864, p. 697.

CHAP. XXI. soldier, there seems no reason to doubt what should then be our decision.

NOV. 7, 1864. While he dwells on the "improbable contingency of our need of resorting to this element of resistance," he nevertheless points out that the Confederate Government might buy the slave from his master and engage to liberate him as a reward for faithful military service. Mr. Davis's hesitating and tentative recommendation was seed sown on barren ground. If the dose was unpalatable to him it appears to have been yet more bitter to the Members of the Confederate Congress, who doubtless felt, as has been pithily expressed by a Confederate writer, that it was an admission of the inherent injustice of slavery; that "if the negro was fit to be a soldier he was not fit to be a slave"; that the proposition "cut under the traditions and theories of three generations in the South"; and that "by a few strokes of the pen the Confederate Government had subscribed to the main tenet of the abolition party in the North and all its consequences, standing exposed and stultified before the world." As the fall of the Confederacy drew nigh the stress of disaster compelled his acceptance of the distasteful alternative, though even then he could not refrain from expressing the hope that the grim necessity would somehow be averted. On the 30th of March, 1865, he wrote to Governor William Smith, of Virginia:

E. A. Pollard, "Life of Jefferson Davis," pp. 453, 454.

> I am happy to receive your assurance of success, as well as your promise to seek legislation to secure unmistakably freedom to the slave who shall enter the army, with a right to return to his old home when he shall have been honorably discharged from the military service. I remain of the

opinion that we should confine our first efforts to getting volunteers, and would prefer that you would adopt such measures as would advance that mode of recruiting, rather [than] that concerning which you make inquiry, to wit, by issuing a requisition for the slaves as authorized by the Statutes of Virginia.

CHAP. XXI.

From the original MS. in possession of Colonel George A. Bruce.

They debated the unwelcome subject with qualms and grimaces through November, December, January, and most of February. On the 11th of January, and again on the 18th of February, the proposal received a notable support in letters from General Lee, in which he declared the measure of employing negro soldiers "not only expedient but necessary," and recommended that the Confederate President be empowered "to call upon individuals or States for such as they are willing to contribute, with the condition of emancipation to all enrolled." Even under this pressure, however, the rebel lawmakers could not wholly conquer their repugnance. Nearly six weeks more elapsed, and the fall of Richmond was already imminent, when on the 30th of March, 1865, the Confederate Congress passed an act upon the subject which provided:

1865.

Lee to Hunter, Jan. 11, 1865. "The Century," Aug., 1888, and Lee to Barksdale, Feb. 18, 1865. McCabe, "Life of Lee," p. 574.

That if, under the previous sections of this act, the President shall not be able to raise a sufficient number of troops to prosecute the war successfully and maintain the sovereignty of the States and the independence of the Confederate States, then he is hereby authorized to call on each State, whenever he thinks it expedient, for her quota of three hundred thousand troops, in addition to those subject to military service under existing laws, or so many thereof as the President may deem necessary for the purposes herein mentioned; to be raised from such of the population, irrespective of color, in each State, as the proper authorities thereof may determine.

Report, Provost Marshal General.

CHAP. XXI. The Confederate writer Pollard sums up the result as follows: "The law, as finally enacted, was merely to authorize the President to receive into the military service such able-bodied slaves as might be patriotically tendered by their masters, to be employed in whatever capacity he might direct; no change to be made in the relation of owners of slaves, at least so far as it appeared in the bill. The fruits of this emasculated measure were two companies of blacks, organized from some negro vagabonds in Richmond, which were allowed to give balls at the Libby Prison and were exhibited in fine fresh uniforms on Capitol Square as decoys to obtain sable recruits. But the mass of their colored brethren looked on the parade with unenvious eyes, and little boys exhibited the early prejudices of race by pelting the fine uniforms with mud."

Pollard, "Life of Jefferson Davis," p. 456.

END OF VOL. VI